

R. Graham for an increase of pension—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for relief of William Smith, granting an increase of pension—to the Committee on Invalid Pensions.

Also, papers to accompany claim of Edward Root, of Norton Heights, Conn., for an increase of pension—to the Committee on Invalid Pensions.

Also, memorial of protest from the Woman's Christian Temperance Union of Mystic, Conn., against the classing of women with idiots, criminals, lunatics, and ignoramus in a bill now pending before the House—to the Committee on the Territories.

Also, memorial of the Connecticut Baptist Convention, indorsing the memorial to Congress of the Rev. T. S. Barbour—to the Committee on Foreign Affairs.

By Mr. LITTAUER: Petition of members of the Presbyterian Church of Malta, Saratoga County, N. Y., for a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. LOUD: Petition of citizens of Michigan, favoring a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. McCALL: Petition of people of Cambridge and Somerville, Mass., for a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

Also, petition of West Somerville Baptist Church, of Somerville, Mass., for a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. NEEDHAM: Resolution adopted by the board of directors of the Manufacturers and Producers' Association of California, September 28, 1904, favoring the improvement of the army quarters at the Presidio—to the Committee on Military Affairs.

By Mr. PORTER: Memorial of the Carnegie Steel Company, of Pittsburgh, in favor of an exhibition of American railway appliances—to the Committee on the District of Columbia.

Also, memorial of the people of Pittsburgh, for a 9-foot channel in the Ohio River—to the Committee on Rivers and Harbors.

Also, memorial of the Westinghouse Air Brake Company, in favor of an exhibition of American railway appliances in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RIXEY: Papers to accompany bill for the relief of Matthew McKown, of Alexandria, Va.—to the Committee on Invalid Pensions.

Also, papers to accompany bill for an increase of pension for Mrs. J. Moore—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: Memorial of D. M. Hunter, to accompany bill H. R. 15880—to the Committee on War Claims.

By Mr. RYAN: Paper to accompany bill H. R. 15350, for the relief of George Taylor, alias George Parks—to the Committee on Invalid Pensions.

Also, resolution of the Grand Camp of the Arctic Brotherhood, urging immediate legislation for an elective Delegate in Congress from Alaska—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, petition of the Interstate Commerce Law Convention, to enlarge the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SCOTT: Petition of the Interstate Commerce Law Convention, for legislation extending the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SHEPPARD: Petition of W. C. York, of Paris, Tex., for payment for property confiscated by the Union Army in Missouri in 1861—to the Committee on War Claims.

By Mr. SHULL: Papers in support of House bill granting a pension to Elmer E. Frederick—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: Petition of citizens of Hugo, Ind. T., asking for the location of a United States court at their town—to the Committee on the Judiciary.

Also, petition of the Interstate Commerce Law Convention, in favor of enlarging the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. STERLING: Papers to accompany House bill granting an increase of pension to John Jewell—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 15952, for the relief of David B. Wacaser—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 15953, for the relief of William T. Gibbs—to the Committee on Invalid Pensions.

Also, evidence in support of House bill granting an increase of

pension to Edward J. Lewis—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Petition of the Brotherhood of Locomotive Engineers of St. Paul and Minneapolis, in favor of a pension for veteran engineers during civil war—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of Massachusetts: Petition of Interstate Commerce Law Convention, in favor of enlarging the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Petition of Interstate Commerce Law Convention, favoring enlargement of the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the locomotive engineers of New York, asking pensions for veteran engineers who served at the front during the civil war—to the Committee on Invalid Pensions.

By Mr. TAWNEY: Papers to accompany bill H. R. 14491, granting an increase of pension to Milton Selby—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Joseph W. Knight by granting him a pension—to the Committee on Invalid Pensions.

By Mr. THAYER: Petition of Mrs. W. H. Tyler, president of the Woman's Home Mission Society of Worcester, Mass., in favor of a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. TIRRELL: Papers to accompany House bill for an increase of pension of Edward J. Dillon, Company G, Fourth New Hampshire Infantry—to the Committee on Invalid Pensions.

By Mr. WYNN: Petition of Dr. N. A. Southworth, for an increase of pension—to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES.

FRIDAY, December 9, 1904.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

HOLIDAY RECESS.

Mr. PAYNE. Mr. Speaker, I offer the following resolution for present consideration.

The SPEAKER. The gentleman from New York offers the following privileged resolution.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Wednesday, December 21, they stand adjourned until 12 o'clock meridian, January 4, 1905.

The question was taken; and the resolution was agreed to.

On motion of Mr. PAYNE, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

ORDER OF BUSINESS.

Mr. BINGHAM. I move you, sir, that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15895) generally known as the "legislative, executive, and judicial appropriation bill."

Mr. SULLOWAY. Mr. Speaker.

The SPEAKER. For what purpose does the gentleman rise?

Mr. SULLOWAY. Under the rule for to-day bills on the Private Calendar are in order; but the Committee on Invalid Pensions have no desire to interfere here, and I ask unanimous consent that Monday next be substituted for the business in order to-day under the rule.

Mr. SULZER. Mr. Speaker, I ask for order. It is impossible to hear.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that Monday next may be substituted for to-day for the Private Calendar, the consideration of pension business. Is there objection?

Mr. LIVINGSTON. Mr. Speaker, I want to suggest to the gentleman from New Hampshire that he alter the form of his request and make it so that it shall immediately follow the passage of this appropriation bill. It may be that you can take it up to-morrow.

Mr. SULLOWAY. But if you should occupy most of the day then we would not have time enough.

Mr. PAYNE. Let me suggest to the gentleman from Georgia we can fix that easily then, should there be any trouble between the two conflicting interests.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

LEGISLATIVE APPROPRIATION BILL.

The SPEAKER. The gentleman from Pennsylvania moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15895.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DALZELL in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill. The gentleman from Pennsylvania is recognized.

Mr. BINGHAM. Mr. Chairman, I ask for a continuation of the reading of the bill.

The CHAIRMAN. The motion pending before the committee is the amendment proposed by the gentleman from Iowa, which the Clerk, without objection, will again report.

The Clerk read as follows:

Page 33, strike out lines 10 to 24 included.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Field force: For three examiners, at \$2,200 each; four examiners, at \$2,000 each; two examiners, at \$1,800 each; one clerk, \$1,800; one clerk, \$1,700; one clerk, \$1,200; six clerks, at \$1,000 each; seven clerks, at \$900 each; three clerks, at \$840 each; two clerks, at \$800 each; two clerks, at \$600 each; one messenger boy, \$480; in all, \$41,000.

Mr. OLMSTED. Mr. Chairman, against that paragraph I make the point of order that it is in violation of clause 2 of Rule XXI of this House, which declares that—

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

Upon that I should like to be heard.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. OLMSTED. I do not make this point in any opposition to the Civil Service Commission, or with any reference to the merits or demerits of the present so-called "merit system." I have been satisfied with the bill down to this paragraph and have voted for it, but I make this point in the interest of economy and of orderly proceeding under the rules of this House. I maintain that this paragraph violates both the provisions of the rule which I have read and that it will merely add to the expense without in any way affecting the efficiency of the service.

In the first place, it is not authorized by existing law. The act of 1883, creating the Civil Service Commission, authorizes it to employ only these persons: A chief examiner, a secretary, and, when necessary, a stenographer and a messenger.

Mr. LIVINGSTON. Mr. Chairman, may I suggest to the gentleman that this very clause cuts out twenty-five examiners in current law, and therefore reduces the expenses that much?

Mr. OLMSTED. Then in cutting them out it violates the existing statute law and the House rule I have cited. But it does not cut out any examiners whatever. On the contrary, this and the succeeding paragraph create fifty-six entirely new clerkships, at an aggregate expense of \$67,240, to do work now done in the post-offices and revenue collectors' offices at no expense whatever.

As I have said, the act creating this commission, and the only act upon the subject, authorizes simply the appointment by the commission of four employees. Now, it is true that by subsequent appropriations that number has been increased, and to the extent that it has been so increased, or that it is increased in the appropriation bill for this current year, and may therefore possibly be held as authorized by existing law, that increased force is probably all right. It is involved in the paragraph which we have already passed, appropriating for 105 employees instead of the original four. But this paragraph for "field force" is entirely new. It is not authorized in the act of Congress creating the commission nor in any appropriation heretofore provided. It comes before us here for the first time. Therefore I maintain that it is not authorized by existing law. It is not an appropriation "in continuation of any public work or object," for, as that phrase is used in the rule, it has been determined on more than one occasion that it applies only to tangible work, and not to any of the departments or branches of the Government service.

Nor is this Civil Service Commission an Executive Depart-

ment within the provisions of various statutes which enable Congress to appropriate for additional clerks from time to time. The Departments within that authority are expressly defined in the statute itself to be the Executive Departments of the Government—namely, those Departments which are presided over by Cabinet officers. This may be seen by reference to sections 158, 159, and 160 of the Revised Statutes. So I maintain that this appropriation is not authorized by existing law and violates the first part of that rule.

Secondly, it changes existing law. Now, it provides a so-called "field force" of thirty-three employees. For the purpose to which they are to be devoted we must rely and do rely with entire confidence upon the carefully and conscientiously prepared official statement of the Committee on Appropriations and presented by my capable, distinguished, and courteous friend [Mr. BINGHAM] in charge of the bill. You will find on page 3, in the second paragraph, under the caption "Civil Service Commission," that this particular paragraph appropriates for thirty-three employees, with salaries aggregating \$41,000, "for the field force of the commission, the same being in lieu of persons now detailed from other branches of the public service." And the very next paragraph, against which I shall make the same point, provides for twenty-three more, to cost \$26,240. In other words, these thirty-three persons and the other twenty-three persons are to take the places of those persons who now, under the law, conduct these examinations at no expense whatever to the Government.

Now, what is the law on that subject? Turning again to section 3 of the act of 1883, in volume 22 of the United States Statutes at Large, we find this, beginning near the top of page 405, in the fifth line:

The commission shall, at Washington, and in one or more places in each State and Territory where examinations are to take place, designate and select a suitable number of persons, not less than three, in the official service of the United States, residing in said State or Territory, after consulting the head of the department or office in which such persons serve, to be members of boards of examiners, and may at any time substitute any other person in said service living in such State or Territory in the place of anyone so selected. Such boards shall meet where convenient.

And so forth. Now, that is the act of Congress upon this subject. The commissioners "shall" designate those persons to conduct these examinations. We all know that in practice the persons so designated are clerks and deputies in local post-offices and in the offices of United States internal-revenue collectors, and the only duties they have to perform are to get the applicants together, hand them the written list of questions sent from Washington, and see that the written answers of the applicants are guarded and returned to the commission at Washington. That service is performed without cost to the Government and without the slightest disarrangement of the other service in the other departments, precisely as the act of Congress intended that it should be.

This appropriation provides for thirty-three clerks in the one paragraph and twenty-three in the next, not to be designated from those local offices, as the existing law requires, but appointed by the Civil Service Commission itself to conduct that work. I say, therefore, that it changes and violates the provisions of existing statute law. I do not believe that this by no means difficult service, which, divided around among the local post-office and revenue collectors' clerks throughout the country, does not require upon the average as much as one hour in a year of their time, would be any better performed by an entirely new corps of fifty-six clerks, at an added annual expense of \$67,240. I therefore insist, Mr. Chairman, upon the point of order, which I submit to you is well taken.

Why, if it did no more than to change the word "shall," it would violate existing law under the previous rulings of the House, as you will find in Mr. Hinds's Book of Parliamentary Precedents, section 562. But this goes further and repeals entirely the provision of the existing act of Congress which says that the commission shall do these things and substitutes an entirely different method, and provides for thirty-three additional employees, at an additional expense to the Government of \$41,000.

Mr. LITTAUER. Mr. Chairman, I desire to maintain that the point of order made by the gentleman from Pennsylvania [Mr. OLMSTED] is not well taken. This field force is now in actual existence. The work is now being performed and performed under law. If this provision be retained it will make no change in the force as it is now employed. If this provision should not be retained in this bill, the work would go on just as it has been going on under law. It is not a new force. The Civil Service Commissioner stated that this force was practically formed immediately after the civil-service law went into effect in 1883,

but during the last two years it has been systematized. No matter whether this goes into the law or not, the force will be maintained. It is now maintained under the fundamental law.

Outside of the technical point of violation of the House rules, the gentleman referred to the matter of economy, stating that these clerks are simply for a temporary duty, and that there is no cost to the Government when they are detailed for this work, against which we have the constantly repeated testimony of the heads of Departments that they can not spare the clerks for this purpose, that the time of these clerks is needed in the systematic work of their Departments, and is diverted to civil-service work to the detriment of the Departments. These clerks have to devote themselves not only to covering all the questions that come from applicants and to giving information concerning examinations, but they have to carry on the examinations and make certification for appointments. This measure is one of economy; it facilitates the transaction of business and insures uniformity and fairness. I feel confident that the design of the Civil Service Commission here is to better the service and perfect its work, and in that way it deserves the support of Congress.

Mr. BINGHAM. Mr. Chairman, I have no desire to take much time in the consideration of the proposition submitted by the gentleman from Pennsylvania [Mr. OLMSTED] and the position taken by the gentleman from New York with reference to what is called the "field force" in this paragraph. I am disposed to think that perhaps the question submitted by the gentleman from Pennsylvania is certainly a fair one for the consideration of the Chair, but I feel in justice to the proposition contained in this bill covering the paragraph of the civil service that we have proceeded on the line suggested by General Black, the chairman of the commission. There might be some reason for a plea for the reorganization of the commission in order and for the purpose that in the future there should be a wiser, better, and safer administration of that service than now runs. But the chairman of the commission submits his scheme. We have followed his new scheme word for word and given him the appropriation he asked for, for which he gives us back the men detailed from the Departments here in Washington into the Civil Service Commission, the men detailed for that work from the Post-Office Department, the Internal Revenue, and other Departments, with the promise that he will make no call in the future under the general provisions of the organization of the commission, made, I think, in 1883, which gives him the right to call upon any Department of the Government for such subordinate force as may be required.

Under the statute he can go to any Department of the Government and make an unlimited appeal for any subordinate force he desires, a privilege which is accorded no other branch of the public service. He says that the clerks sent him are the indifferent class of clerks and not of high order, rather than those he would select, which would be of the more experienced and efficient. If he could select his own subordinate force for all the commission's service he would make better administration. We concede that. In other words, we concede that there will be a better administration under these provisions of the bill as we present it to the House than he now works under, and as it is a statute, your Committee on Appropriations desires that statute to be carried out to the wisest and best conclusion in administration. The contention, however, as to the point of order, I leave upon the ground the gentleman from New York [Mr. LITTAUER] has placed it.

Mr. GILLET of Massachusetts. Mr. Chairman, may I add just a word upon the point of order? I think it must be admitted, as the gentleman from Pennsylvania [Mr. OLMSTED] said, that under the general law by which clerks are appointed this section of the bill could be sustained, because, as I read the statute, it seems to me clear that the Civil Service Commission would not come under the designation "head of a Department;" but the gentleman read from the civil-service law a part of a sentence and he did not complete it. It seems to me that under that full sentence this might be maintained, and I would like to read it to the Chair.

The commission shall, at Washington and in one or more places in each State and Territory where examinations are to take place, designate and select a suitable number of persons, not less than three, in the official service of the United States, residing in said State or Territory, after consulting the head of the Department or office in which such persons serve, to be members of the board of examiners.

That is as far as the gentleman from Pennsylvania [Mr. OLMSTED] read. Now, the sentence goes on as follows:

And may at any time substitute any other person in said service living in such State or Territory in the place of anyone so selected.

Now, under that clause there are persons now engaged in the

service. All this appropriation does is to specifically provide for a certain number of persons. That same number is in the service now. The commission under this law have the right to substitute anyone they please for the person now in the service; and therefore why can not we provide for this as we do by this bill, and why can not they substitute them under that clause of the law?

The CHAIRMAN. The Chair is ready to rule. A paragraph on page 34 of the bill provides for a "field force," designating a certain number of employees and fixing their salaries. The gentleman from Pennsylvania [Mr. OLMSTED] makes a point of order against this paragraph and invokes in support of it clause 2 of Rule XXI, as follows:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The first question to determine, therefore, is whether or not the expenditures included in this paragraph have been previously authorized by law. It seems very clear to the Chair, without undertaking to read at length the provisions of the act creating the Civil Service Commission, that there is no provision in that act which would authorize this expenditure. The only other authority cited to authorize it is a provision in the Revised Statutes, section 169, Title IV, which provides:

Each head of a Department is authorized to employ in his Department such number of clerks of the several classes recognized by law and such messengers, assistant messengers, copyists, watchmen, laborers, and other employees and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

If the Civil Service Commission were an Executive Department under the law, the point of order would have to be overruled. But is it such Department? Section 158 of this same title provides as follows:

The provisions of this title shall apply to the following Executive Departments:

- First. The Department of State.
- Second. The Department of War.
- Third. The Department of the Treasury.
- Fourth. The Department of Justice.
- Fifth. The Post-Office Department.
- Sixth. The Department of the Navy.
- Seventh. The Department of the Interior.

And section 159 provides:

The word "Department" when used alone in this title and Titles V, VI, VII, VIII, IX, X, and XI means one of the Executive Departments enumerated in the preceding section.

So it seems very clear to the Chair that this paragraph of the bill can not be justified under the provisions of those three sections of the Revised Statutes. The only other suggestion made to justify the appropriation, if the Chair rightly understood the gentleman from New York [Mr. LITTAUER], was that such a force as is mentioned in the paragraph is already in existence, having been provided for from time to time by appropriation bills; but over against the provisions of the appropriation bills stand the provisions of the statute which do not authorize such a force and the provisions of Rule XXI, section 2, which requires for the creation of such a force a provision of law. The enactment of an appropriation bill is not a provision of law any more than for the current year, and it gains no force by having been repeated for two or three or any number of succeeding years. Therefore, without discussing at length the second proposition, the Chair is very clearly of the opinion that the point of order is well taken. The Chair sustains the point of order.

The Clerk read as follows:

Rural carrier examining board: For one examiner, \$2,000; one clerk, \$1,800; one clerk, \$1,600; three clerks, at \$1,400 each; five clerks, at \$1,200 each; five clerks, at \$1,000 each; four clerks, at \$900 each; one clerk, \$840; one messenger, \$840; one messenger boy, \$360; in all, \$26,240.

Mr. OLMSTED. Mr. Chairman, against that paragraph I make the same point of order, and, unless the Chair desires to hear further, ask unanimous consent that I may be considered as having made the same argument.

The CHAIRMAN. The Chair sustains the point of order, in accordance with the ruling just made as to paragraph as to the "field force."

The Clerk read as follows:

During the fiscal year 1906 it shall not be lawful to detail clerks or other employees from the Executive Departments or other Government establishments in Washington, D. C., to the Civil Service Commission for the performance of duty in the District of Columbia.

Mr. MADDOX. Mr. Chairman, we can not hear what the decision of the Chair has been on any of these points. I suppose that the point of order has been sustained. Is that true?

The CHAIRMAN. It has been sustained.

Mr. MADDIX. It is impossible to hear.

Mr. BINGHAM. Mr. Chairman, I desire to raise the point of order on this paragraph that it is new legislation, and therefore subject to the point of order which has just been ruled upon.

The CHAIRMAN. The Chair sustains the point of order; it is clearly new legislation.

Mr. MANN. It is only a limitation on an appropriation bill.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. MANN. It is plainly only a limitation on an appropriation bill confined to the fiscal year 1906. It has been ruled repeatedly in similar cases that it is not subject to the point of order.

The CHAIRMAN. The Chair will say in answer to the gentleman from Illinois that this is clearly positive legislation. "That it shall not be lawful to detail clerks or other employees, etc.," which is now lawful under existing law, and the statement that it is merely a limitation does not strike the Chair at all.

Mr. LIVINGSTON. Mr. Chairman, I make the point of order that we can not hear the Chair.

The CHAIRMAN. The committee will be in order.

Mr. LIVINGSTON. Has the Chair ruled on the point of order made by the gentleman from Pennsylvania?

The CHAIRMAN. Yes.

Mr. LIVINGSTON. How was the ruling?

The CHAIRMAN. The Chair sustained the point of order.

Mr. MANN. If the Chair will permit me, I quite agree with him in his decision, but in his decision he has overruled a number of decisions made at the last session of Congress.

The CHAIRMAN. The Chair is very sorry for that, but thinks the Chair is right.

Mr. MANN. I think he is right, too.

The Clerk read as follows:

DEPARTMENT OF STATE.

For compensation of the Secretary of State, \$8,000; Assistant Secretary, \$4,500; Second and Third Assistant Secretaries, at \$4,500 each; chief clerk, \$3,000; assistant solicitor of the Department of State, to be appointed by the Secretary of State, \$3,000; law clerk, and assistant, to be selected and appointed by the Secretary of State, to edit the laws of Congress and perform such other duties as may be required of them, at \$2,500 and \$1,500, respectively; eight chiefs of bureaus, at \$2,100 each; two translators, at \$2,100 each; additional to chief of Bureau of Accounts as disbursing clerk, \$200; private secretary to the Secretary, \$2,500; twelve clerks of class 4; eight clerks of class 3; fourteen clerks of class 2; twenty-eight clerks of class 1, one of whom is to be a telegraph operator; five clerks, at \$1,000 each; twelve clerks, at \$900 each; chief messenger, \$1,000; two messengers; sixteen assistant messengers; packer, \$720; four laborers, at \$600 each; and for temporary typewriters and stenographers to be selected by the Secretary, \$2,000; in all, \$177,920.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. In various places in the bill I see the provision is here, twelve clerks of class 4, eight clerks of class 3, fourteen clerks of class 2, twenty-eight clerks of class 1, and the compensation is not stated. I presume there is some general provision, and if so I would like to have it stated by the gentleman in charge of the bill.

Mr. BINGHAM. In what respect?

Mr. PERKINS. What does the clerk of class 2 get?

Mr. BINGHAM. Does the gentleman simply desire to know whether the law fixes the compensation?

Mr. PERKINS. I want to know what it is.

Mr. BINGHAM. Eighteen hundred dollars is the compensation of a fourth-class clerk.

Mr. PERKINS. What is the compensation of a first-class clerk?

Mr. BINGHAM. The compensation ranges from twelve hundred dollars, fourteen hundred dollars, sixteen hundred dollars to eighteen hundred dollars.

Mr. PERKINS. That is fixed by general provision.

Mr. BINGHAM. Yes; and that is what we follow just in that form.

The Clerk read as follows:

Office of chief clerk and superintendent: For chief clerk, including \$300 as superintendent of Treasury building, \$3,000; assistant superintendent of Treasury building, \$2,500; inspector of electric-light plants, gas, and fixtures for all public buildings under control of the Treasury Department, \$2,000; assistant inspector of electric-light plants and draftsman, \$1,600; five clerks of class 4; additional to one clerk of class 4, as bookkeeper, \$100; four clerks of class 3; three clerks of class 2; four clerks of class 1 (one as librarian); one clerk, \$1,000; one messenger; two assistant messengers; storekeeper, \$1,200; telegraph operator, \$1,200; telephone operator and assistant telegraph operator, \$1,200; chief engineer, \$1,400; three assistant engineers, at \$1,000 each; six elevator conductors, at \$720 each; three firemen; five firemen, at \$650 each; coal passer, \$500; locksmith and electrician, \$1,400; captain of the watch, \$1,400; two lieutenants of the watch, at \$900 each; fifty-eight watchmen; six special watchmen, at \$720 each; foreman of laborers, \$1,000; skilled laborer, male, \$840; wireman, \$900; two skilled laborers, male, at \$720 each; twenty-six laborers; ten laborers, at \$500 each; laborer, \$480; two laborers, at \$360 each; eighty-seven charwomen; foreman of cabinet shop, \$1,500; draftsman,

\$1,200; assistant draftsman, \$1,200; ten cabinetmakers, at \$1,000 each; cabinetmaker, \$720; carpenter, \$1,000; carpenter's helper, \$660. For the Winder Building: Engineer, \$1,000; three firemen; conductor of elevator, \$720; four watchmen; three laborers, one of whom, when necessary, shall assist and relieve the conductor of the elevator; laborer, \$480; and six charwomen. For the Cox Building, 1709 New York avenue: Three watchmen-firemen, at \$720 each; and one laborer; in all, \$184,020.

Mr. MADDIX. Mr. Chairman, I move to strike out the paragraph. What I desire to call the attention of the committee to under this head is this: Is this an additional employment exhibited in your report? I see you recommend one assistant bookkeeper, at \$2,000; one clerk, at \$1,200; three expert counters, at \$900; one expert counter, at \$800; five expert counters, at \$700. Are those additional employees now in the Treasury Department? I am now looking at the report on bottom of page 3.

Mr. BINGHAM. I would state that the Treasurer of the United States in his hearing before your committee submitted this as a necessary increase, in order not only to facilitate the work, but because of large additions to his work. I submit to the gentleman that this appropriation, under the general statute, is paid by the national banks. There has not been any exception filed as to whether there has been any extravagance on the part of the Treasurer in administering the statute. He charges these items against the national banks, and your committee, in view of that, have reached the conclusion that as there has been no objection from the national banks, and as your committee believe the Treasurer is a careful administrator, with his long experience, his high standing as a man, they are willing to accept his recommendation.

Mr. MADDIX. Now, will the chairman of the subcommittee do me the kindness to show me where in this bill this provision is made for these new employees. We were told yesterday about your italicized amendments; in other words, increases, by which they could be easily discovered—

Mr. BINGHAM. If the gentleman will find the index, which probably he has before him—

Mr. MADDIX. I can not pick them out of these appropriations. I can not tell this from the other ones.

Mr. BINGHAM. The gentleman will find on pages 48 and 49 of the bill indicated in the index, if he will read it, this paragraph, and he will also find—

Mr. MADDIX. As a separate and distinct paragraph?

Mr. LITTAUER. That report referred to the office of the Treasurer. If you turn to the bill, on page 48, you will there find a large caption, "Office of the Treasurer," and then of "Chief Clerk;" then, on the other page, for the force employed in the redemption of national currency to be reimbursed by the banks, and then it goes on and names the force.

Mr. MADDIX. There are other employees there, too. There is nothing there to indicate or call attention to anything that is done in the bill. It is impossible for a man to find out what is done. I do not propose to make a point of order against it if the committee is satisfied the Treasury needs it.

Mr. BINGHAM. We have tried to make it clear in the bill and index.

Mr. MADDIX. If the gentleman had accepted my proposition, that you put in italics the changes you propose, so that we could see what they are, that would be all right. I do not want to object to these things if they are necessary and the Government needs them; but I would like to know what they are.

Mr. BINGHAM. As one member of the committee, I am willing at all times to hear the gentleman's fair criticism.

The Clerk read as follows:

Division of customs: For chief of division, \$2,750; assistant chief of division, \$2,000; five law clerks, at \$2,000 each; three clerks of class 4; one clerk of class 3; two clerks of class 2; four clerks of class 1; four clerks, at \$1,000 each; one clerk, \$900; and two assistant messengers; in all, \$35,690.

Mr. MARTIN. Mr. Chairman, I move, on page 40, in line 3, to strike out "one" and insert "two," so that it will read "two clerks of class 3." I will say in explanation—

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 40, line 3, strike out "one" and insert "two."

Mr. MARTIN. This is for the purpose of making provision in the customs division for a clerk who has been long employed there by detail from the Office of the Supervising Architect. I have a letter from the Secretary of the Treasury covering the subject. It is part of the effort to have clerks actually working in the bureau or division where they are assigned. The recommendation is made by the Secretary of the Treasury, on page 27 of the Books of Estimates, but it was dropped out by the committee. I will say in this connection, Mr. Chairman, that when the

item is reached covering the Supervising Architect's Office I will move to reduce the sum there allowed an equal amount.

Mr. BINGHAM. Did you say that this was recommended by the Secretary in the estimates?

Mr. MARTIN. I did.

Mr. LITTAUER. You can not execute your latter proposition, because it is not in this bill.

Mr. MARTIN. It is at the bottom of page 43 of the bill.

Mr. LITTAUER. All there is respecting the Supervising Architect in this bill is his own salary and messenger. The clerical force is not carried here.

Mr. MARTIN. There is a limitation of \$350,000 put upon the clerical force.

Mr. LITTAUER. That is simply to take care of the public buildings being erected, and we propose when we get to that place to reduce that sum \$100,000.

Mr. MARTIN. I do not know about that, but I take it for granted it is provided for in this bill, and if not I propose to take out one clerk wherever it may be found in the provisions of the bill.

Mr. LITTAUER. I do not think that can be done, because it is not provided in this bill.

Mr. MARTIN. Then I propose to do it in whatever bill it may be provided for. There is certainly a way to reach this.

Mr. BINGHAM. Mr. Chairman, we have presented to this House a bill reducing the estimates submitted to the Congress in the general budget over \$800,000. The gentleman says that he has a letter from the Secretary of the Treasury covering this one clerk that he claims the committee has failed to provide for in the form recommended in the Book of Estimates. If we take the Book of Estimates, which comes through the Secretary from the respective Departments of the Government in the form that he sends them to Congress, and we were not to reduce or change certain clerks as contained in the estimates, we would not be able to make any of the reductions suggested by the Department. Your committee have had the officers of the Treasury Department, selected by themselves, before the committee to make exhibit of their wants under the estimates. Your committee heard them fully and fairly, without knowledge of who would be affected by the reductions proposed in the budget, and we have given every reasonable increase that was submitted to the committee by the officials of the Treasury as put before the committee by the Department itself, and of course wherever there is a reduction here or there made by the committee by which some one will not be provided for in this bill, he will have some friend who will appear on this floor and ask that the reduction be not made. I ask the House to stand by the committee or else run the entire line through. Let us not provide for some who are sure to have friends on the floor of this House. In the reductions we have made in this bill we have tried to be fair to the administration of the several bureaus and yet respond to every request possible of the Department, but we have cut the estimates \$800,000, making a saving of over \$200,000, and we should not be required to submit to an increase of the total among the subordinate force employed in the Departments.

Mr. MARTIN. Mr. Chairman, no exception can be taken to the remarks of the honorable gentleman in charge of the bill, but it seems to me that they hardly apply to this precise situation. It is not a question of reduction or increase of force to any extent. It is a question of having in the customs division, where this clerk is employed, an allowance covering his employment there, so he can be permanently assigned there, or have him continue to be detailed from another division.

The purpose of the Secretary, in the recommendation, and my purpose in making the motion for the amendment, is not to increase the number of clerks in the Treasury Department at all. I was of the impression, when I offered the amendment, that the counter item which could be reduced was in this bill. The gentleman in charge of the bill says not; but that does not relieve the situation in any event. Whenever that is reached by the Committee on Appropriations or by this House, a corresponding deduction can be made in the allowance for that particular division in the office of the Supervising Architect. The fact remains this way, that here is a clerk absolutely essential to the work of this customs division, and who is kept there right along. It is contrary to the policy of the law to have these details. The Secretary has requested one more of this class for the very purpose of having the clerk employed in the particular division where the law would direct his employment. And it is a very easy matter for the Appropriations Committee, when they come to the item providing for the clerkships in the Supervising Architect's Office, if it is not done in this bill, as I supposed it was, to make the corresponding deduction there.

Mr. BINGHAM. Mr. Chairman, I want to make my few remarks as general as possible, and I think I have done so in my first statement; but in reply to the gentleman himself I will say, the Secretary, having detailed this subordinate to the Supervising Architect's Office, can, by one stroke of his pen, order him back. One stroke of his pen put him there; one stroke of his pen can bring him back to his customs work.

We have had a reexamination in respect to the Supervising Architect's Office, and the statement is submitted that he has in effect almost completed the many requirements of his office, there being perhaps 40 per cent of work remaining to be done. We are going to change the verbiage of this bill—and I purposely make this statement a general one, because I am not looking at the particular paragraph in the bill—reducing it from one hundred thousand to one hundred and twenty-five thousand dollars below the amount it has heretofore carried and below the amount carried in current law. We carried the same amount in the printed copy of this bill as reported, but by the reexamination we see that a reduction of over \$100,000 will be justified. Whether that clerk desires to go back to his work, or whether he knows that the legislative bill reduces and cuts close the Architect's office force, I do not know; but the power of the Secretary is absolute. He put this clerk there—he can take him back; and when he takes him back he will be doing what we have been trying to do all through this bill, which is to provide that when we appropriate for a division or a bureau of any of the Departments of the Government the clerks that appear in this bill shall appear at their desks in that particular division of the Government, the very division of the Government to which this bill appropriates. If we can accomplish that, we will accomplish something in the interest of better administration, keeping a clerk where he is valuable and not sending him to a division of the Government in which he has no familiarity with his assigned work.

Mr. PRINCE. Mr. Chairman, will the gentleman allow me to ask him a question?

Mr. BINGHAM. Certainly.

Mr. PRINCE. Mr. Chairman, I find in the paragraph under discussion that the Secretary of the Treasury asks for an additional clerk at \$1,800. You granted him his request by this bill, did you not?

Mr. BINGHAM. I think so.

Mr. LITTAUER. Yes.

Mr. PRINCE. Did he ask for any more help than the one clerk you gave him?

Mr. BINGHAM. There was nothing special asked for. This case was not referred to.

Mr. PRINCE. This case that is now under discussion. If he had wanted this man or an additional clerk, is it not quite likely that he would have asked for him at that time?

Mr. BINGHAM. He had the man. The man was detailed by his order, and the same authority that transferred him can put him back.

Mr. PRINCE. Then there seems to be no pressing necessity for adding two clerks to this list?

Mr. BINGHAM. None.

Mr. LITTAUER. I would like to amplify by a single word. First, we had the Assistant Secretary of the Treasury before us. He dwelt particularly on every one of the increased force that he desired, and he omitted anything except casual reference to this matter. But I am particularly pleased that this little discussion has brought out what I think is a violation of the spirit of this law of detail.

The Supervising Architect comes before us and asks for a sum of money in order to have a proper detail to carry on the work of his office, in building public buildings throughout the country. We give that in a lump sum; it is charged against the buildings authorized by law, and yet a part of that money is diverted to send a clerk into the division of customs, and thus calls attention to one of the worst practices of the administration of our Departments.

Mr. MARTIN. Mr. Chairman, if I may be indulged a moment, there is evidently a misapprehension about the facts in this case, particularly disclosed by the remarks of the gentleman from Illinois [Mr. PRINCE] and the gentleman from New York [Mr. LITTAUER].

In answer to the question by the gentleman from Illinois the gentleman in charge of the bill says that the Secretary of the Treasury in his estimates made no request for this item.

Mr. BINGHAM. Oh, no.

Mr. PRINCE. No; he asked for the estimate and it was granted.

Mr. MARTIN. I beg the gentleman's pardon; the \$1,800 clerk to which the gentleman from Illinois refers is a different

item altogether from the one mentioned. It is a different item altogether, and it is not, as replied by the chairman of the committee, a matter not requested by the Secretary of the Treasury. The Secretary of the Treasury in his estimates made a request for one \$1,800 clerk to cover the case of a detail of an \$1,800 clerk working in the division of customs from the office of the Auditor for the Interior Department. That was granted by the committee. He also made a request for the item to which I am referring, a separate and distinct item altogether. It will appear on page 27 of the Book of Estimates under the head of "two clerks, class 3, one additional," giving the item. That was not allowed by the committee, and that is the item to which I am referring.

The letter of the Secretary in part upon the subject refers to this particular case, and says that he is assigned for duty to the division of customs from the Supervising Architect's Office.

Mr. LITTAUER. Is the letter that the gentleman is reading from addressed to him personally?

Mr. MARTIN. Yes; but you may have access to it. I brought this matter to the attention of the gentleman's associate on the subcommittee [Mr. GILLET of Massachusetts], and handed him the letter. The item in the bill came so suddenly that it became necessary for me to take the floor at once. Now, he says in the letter that this man is upon the roll of the Architect's Office, that "he is assigned to duty in the division of customs, where his services are absolutely needed in the performance of work which has ordinarily been done by a \$1,600 clerk. To the end that all the clerks working in the division of customs be carried on the rolls of that division, a recommendation was made in the estimate of appropriations for 1906, page 27, for an additional clerk of class 3. This recommendation was not approved by the Committee on Appropriations, as you will perceive by reference to the legislative, judicial, and executive appropriation bill as reported to the House."

Now, the item that was approved by the committee was the request for an \$1,800 clerk; that is, in class 4, and covers the case of the clerk from the office of the Auditor for the Interior Department. The item that the committee seems to have overlooked, or not to have granted, was the other item, and the one to which I am now referring, to cover the case of an assignment from the Architect's Office to this particular work where this clerk is engaged, and who the Secretary himself says is indispensable to the work of the customs division.

Mr. BINGHAM. How long has he been detailed there?

Mr. MARTIN. Over a year. It is to carry out the design of Congress on this subject to have clerks actually upon the roll of the division where they are at work. It seems to me if a clerk is absolutely needed in one place and not needed in another the policy of the committee and of the Congress ought to be to have such provision made as that he may be permanently employed in the Department where his services are required.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BINGHAM. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for five minutes.

The CHAIRMAN. Without objection, the gentleman's time will be extended for five minutes. The Chair hears no objection.

Mr. MARTIN. Mr. Chairman, it should be said in this connection that the particular clerk on the Architect's roll is in class 2. He is doing work in the customs division which has been habitually done by a clerk in class 3, as the Secretary especially says in that clause of his letter.

Mr. LITTAUER. Now, will the gentleman permit me to read the words of the law in the appropriation made for the Supervising Architect's bureau or office? The law reads as follows:

And the services of skilled draftsmen, civil engineers, computers, accountants, assistants to the photographer, copyist, and such other services as the Secretary of the Treasury may deem necessary and specially order, may be employed in the office of the Supervising Architect exclusively to carry into effect the various appropriations for public buildings.

Despite that provision of the law, a transfer is here made to the clerical force of the division of customs. The Assistant Secretary of the Treasury, who came before us—and I would here state the work of the committee in connection with the Treasury estimates was as thorough, I believe, as any of the work that committees ever performed—dwelt particularly on the necessity of making permanent the detail of this \$1,800-clerk. He said he was a man of ability, specially qualified to care for card catalogues—a card-catalogue expert. No mention whatever was made of the detail now under consideration. Whether or not the Secretary had in view that this particular detail was made contrary to the spirit of the law, I do not know; but he gave us no information whatever about this de-

tail. Now, this unofficial letter from the Secretary is the first word that we have had concerning it.

Mr. MANN. Mr. Chairman, will the gentleman yield for a moment? Is this man now carried on the Architect's roll under a similar provision in the appropriation act that is in this bill in reference to the Architect's office?

Mr. LITTAUER. Evidently, yes.

Mr. BINGHAM. Oh, no. The Architect's office is a bulk sum.

Mr. LITTAUER. The chairman of the committee suggests that the Architect's appropriation is a bulk sum appropriated exclusively to carry into effect the various appropriations for public buildings.

Mr. MANN. The provision in this bill states that it shall be paid from and equitably charged against the appropriations for public buildings. Now, do I understand that the Architect out of this sum employs a man and pays him from the appropriation made for public buildings and then turns him over to the customs division of the Government?

Mr. LITTAUER. Yes.

Mr. MANN. Well, he ought to be removed from office if he does that.

Mr. LITTAUER. He does it under the order of the Secretary, and that is what we are trying to break up.

Mr. MANN. Then, if the Secretary is blamable, I apologize to the Architect, but some action ought to be taken in this bill to prevent it.

Mr. BINGHAM. We are doing everything possible in this bill, and this is the first objection to our line of policy.

Mr. MANN. Why, we make provisions for public buildings and nearly every place comes to Congress asking for an increase of appropriations, and here we find that the money is diverted from the public buildings into the customs division, where they have annually a permanent appropriation.

Mr. BINGHAM. I will say to the gentleman from Illinois [Mr. MANN] that his criticism is not fair. We are trying to correct what we think is a very unwarranted action under the law.

Mr. MANN. I quite agree with the committee, except that I wish they would go a little further and at least provide by this bill that when the transfers are made they shall be reported in each individual case to Congress.

Mr. LITTAUER. Mr. Chairman, that is already done in the Book of Estimates.

Mr. MANN. In the Book of Estimates? Oh, very well.

Mr. LIVINGSTON. Mr. Chairman, I make the point of order that the debate on this paragraph is exhausted.

The CHAIRMAN. The time of the gentleman from South Dakota has expired, and the gentleman from Georgia [Mr. LIVINGSTON] makes the point of order that debate on this paragraph is exhausted. The Chair sustains the point of order.

The question is on the amendment offered by the gentleman from South Dakota.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

And the services of skilled draftsmen, civil engineers, computers, accountants, assistants to the photographer, copyists, and such other services as the Secretary of the Treasury may deem necessary and specially order, may be employed in the office of the Supervising Architect exclusively to carry into effect the various appropriations for public buildings, to be paid for from and equitably charged against such appropriations: *Provided*, That the expenditures on this account for the fiscal year ending June 30, 1906, shall not exceed \$350,000; and that the Secretary of the Treasury shall each year in the annual estimates report to Congress the number of persons so employed and the amount paid to each.

Mr. BINGHAM. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

On page 43, in line 25, strike out the words "three hundred and fifty" and insert in lieu thereof the words "two hundred and twenty-five."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Office of Auditor for Interior Department: For Auditor, \$4,000; Deputy Auditor, \$2,500; law clerk, \$2,000; three chiefs of division, at \$2,000 each; nine clerks of class 4; sixteen clerks of class 3; twenty-eight clerks of class 2; twenty-eight clerks of class 1; sixteen clerks, at \$1,000 each; fourteen clerks, at \$900 each; one assistant messenger; four skilled laborers, at \$720 each; six laborers; and one female laborer, \$600; in all, \$165,860.

Mr. BURKE. Mr. Chairman, I ask unanimous consent that this paragraph be passed, without prejudice, for the purpose of

discussing the matter with the members of the committee with a view to have—

Mr. BINGHAM. There is no objection to that if you desire to pass it temporarily without prejudice.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the paragraph just read be passed without prejudice. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The Clerk read as follows:

Office of the Comptroller of the Currency: For Comptroller of the Currency, \$5,000; Deputy Comptroller, \$3,500; chief clerk, \$2,500; three chiefs of division, at \$2,200 each; eight clerks of class 4; additional to bond clerk, \$200; stenographer, \$1,600; thirteen clerks of class 3; fifteen clerks of class 2; eleven clerks of class 1; fourteen clerks, at \$1,000 each; engineer, \$1,000; thirteen clerks, at \$900 each; one messenger, four assistant messengers; one fireman; three laborers; in all, \$121,920.

Mr. BARTLETT. Mr. Chairman, I desire to make the point of order upon the provision contained in line 16, on page 50, where the Deputy Comptroller's salary is increased from \$3,000 to \$3,500. The law, as it now stands, is that his salary is \$3,000. This bill provides for a salary of \$3,500.

Mr. BINGHAM. I recognize the gentleman's right under the rule. Wherever there has been an increase the gentleman has the right to call for the current law.

The CHAIRMAN. Does the gentleman from Pennsylvania state this to be an increase?

Mr. BINGHAM. Yes, sir.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BARTLETT. Then I move to amend by making it \$3,000 instead of \$3,500.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 16, page 50, strike out the words "thirty-five hundred" and insert the words "three thousand."

Mr. BINGHAM. Mr. Chairman, I understand you sustained the point of order. Then, as a committee amendment, I move that in lieu of the \$3,500 there shall be inserted the current law, \$3,000. Otherwise the gentleman's amendment wipes out the compensation entirely.

Mr. BARTLETT. I did not propose to do that.

Mr. BINGHAM. I recognize that. I ask that as a committee amendment.

Mr. BARTLETT. I said I proposed to incorporate the present law in the bill.

Mr. BINGHAM. Mr. Chairman, at this time I would ask that the Clerk, as we run through the bill, should the increases we have made be ruled out on a point of order, have authority to insert the current law and also to correct the totals.

The CHAIRMAN. Without objection, it will be so ordered.

The question is on agreeing to the amendment proposed by the gentleman from Georgia and the gentleman from Pennsylvania.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

OFFICE OF ASSISTANT TREASURER AT CHICAGO.

For assistant treasurer, \$5,000; cashier, \$2,500; vault clerk, \$1,800; paying teller, \$1,800; assorting teller, \$1,800; silver and redemption teller, \$1,800; receiving teller, \$1,700; clerk, \$1,600; two bookkeepers, at \$1,500 each; assistant paying teller, \$1,500; four coin, coupon, and currency clerks, at \$1,500 each; twenty-six clerks, at \$1,200 each; one detective and hall man, \$1,100; messenger, \$840; stenographer, \$900; janitor, \$600; and three watchmen, at \$720 each; in all, \$65,300.

Mr. MANN. Mr. Chairman, I desire to offer an amendment.

Mr. BINGHAM. On what page of the bill?

Mr. MANN. On page 61. I move in line 6 to strike out the words "one thousand eight hundred" and insert "twenty-two hundred."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 61, in line 6, strike out the words "one thousand eight hundred" and insert in lieu thereof the words "twenty-two hundred."

Mr. BINGHAM. Mr. Chairman, I make the point of order, but I desire to listen to the gentleman.

Mr. MANN. Now, Mr. Chairman, I have the most high respect for the subcommittee of the Committee on Appropriations which prepares this bill, and for its distinguished chairman, and I realize the difficulties which the committee is under in making these appropriations. The business at the subtreasury in Chicago is larger than the business of the subtreasury at any other place except New York. I select this particular position for the purpose of bringing this matter before the committee, although both the assistant subtreasurer and the Secretary of the Treasury in making the estimates have recommended not only this increase in salary, but a number of other increases in salary.

Mr. BINGHAM. If you will permit me right there. Does not the Book of Estimates show an increase of salary? It is now \$1,800 and the gentleman asks \$2,250 in his amendment.

Mr. MANN. Twenty-two hundred dollars.

Mr. BINGHAM. Does not the Book of Estimates exhibit \$2,000?

Mr. MANN. The Book of Estimates exhibits \$2,200. I have the Book of Estimates before me.

Mr. BINGHAM. What clerk is it?

Mr. MANN. The paying teller.

Mr. BINGHAM. I thought it was the vault clerk.

Mr. MANN. Now, in the city of Boston, distinguished at present both because of its being the center of all educational refinement and under the control of the shoe trust [laughter]—in the city of Boston, which does not have in its subtreasury one-fourth of the business done in the subtreasury of the city of Chicago, the paying teller receives a salary of \$2,500 a year. In the city of New Orleans, which does not transact one-tenth of the business of the subtreasury of Chicago, the paying teller receives a salary of \$2,000 a year; in Philadelphia he receives a salary of \$2,300 a year; in St. Louis, \$2,000 a year; in San Francisco he did receive \$2,500 a year, and your committee have recommended a decrease to \$2,250 a year, and yet the business carried on there is not within a dozen times equal to the business which passes through the hands of the paying teller in the subtreasury at Chicago. Now, in the city of Chicago, where business has increased so rapidly, the paying teller receives a salary of \$1,800, whereas paying tellers in other, even subordinate subtreasuries, receive higher salaries. The same is true about other positions.

The committee this year, in recommending increases recommended an increase of two clerks at Baltimore at a salary of \$1,600 each a year. They recommend an increase of one clerk at San Francisco at a salary of \$1,500 a year; but when it comes to poor Chicago the additional clerk must work for \$1,200 a year. It may be possible—

Mr. BINGHAM. We give them three.

Mr. MANN. You give them three because of the business. Is the gentleman aware of the increase of business in the city of Chicago? The business has increased in the last five years 110 per cent and more. In the last fiscal year the business of that subtreasury was \$593,000,000 and over. In Boston it was \$231,000,000. I may say to the gentleman that the average salary of the clerks in the city of Chicago, where the greatest business is transacted outside of New York, is smaller than at any other subtreasury. The average salary in Chicago is \$1,360. In Baltimore, where the business is of no such consequence, the average salary is \$1,476. That is not all.

I hope the committee will not understand that I am in the slightest degree criticising the committee, because I appreciate the difficulties which they encounter. But I will call the attention of the members of the subcommittee on appropriations to this in the hope that it may have some effect in the future, though I doubt its effect at present.

Now, let me call attention of the gentleman further. Although the business of the subtreasury at Chicago has been much greater than in other subtreasuries outside of New York and Philadelphia, and greater than in Philadelphia, in Boston there are five clerks receiving a salary of over \$1,800 a year, in New Orleans there are three clerks who receive a salary of over \$1,800 a year, in Philadelphia three clerks of the same class, and in St. Louis there are two clerks of the same class, and in San Francisco six clerks of the same class.

[Here the hammer fell.]

Mr. BINGHAM. I ask unanimous consent that the gentleman's time may be extended five minutes.

There was no objection.

Mr. MANN. Yet in the city of Chicago, in the subtreasury, the only clerk receiving a salary of over \$1,800 is the cashier, who receives \$2,500, no greater than is paid in these other offices. Now, as a matter of fact these gentlemen encounter possible losses. Last year in the subtreasury of Chicago they were compelled to make up a loss of \$600, which no one could put his finger upon to determine certainly who was responsible. It is possible that the salaries may be high, but the cost of living in Chicago is fully as great as the cost of living in Baltimore, New Orleans, or San Francisco. I know that gentlemen do not wish to raise salaries. I know the tendency of the House and of Congress is to keep down appropriations and to keep from making increases.

With that feeling and that tendency I quite sympathize; but it does not seem to me perfectly right that the lowest salaries should be paid where the principal business is transacted. If there is any reason why the paying teller at San Francisco

should receive \$2,250 for the services which he renders, as you propose by this bill in making a change in his salary, that reason applies with still greater force to the city of Chicago, where the business is so much greater. I hope that I may have the privilege of inserting in the RECORD a tabulated statement in reference to the business of the subtreasury at Chicago and comparisons with New York, Philadelphia, and Boston, a matter of some information which all might like to have printed. I ask that consent.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The matter referred to is as follows:

Total receipts and disbursements of all kinds of moneys at four principal sub-treasuries during the fiscal years 1897 to 1903, inclusive, and increase of business at each subtreasury during same period.

Year.	New York.	Chicago.	Philadel- phia.	Boston.
1897	\$1,970,326,925	\$271,059,431	\$218,639,554	\$160,246,736
1898	1,923,294,056	285,557,502	209,132,335	152,271,602
1899	2,221,793,402	353,686,288	242,898,225	142,576,276
1900	2,407,996,537	354,184,493	298,252,780	187,593,793
1901	2,623,396,396	371,835,491	276,009,467	168,352,669
1902	2,648,144,499	458,667,173	473,972,224	203,178,075
1903	2,851,902,878	572,240,788	465,607,656	231,796,924
1904 (fiscal year)		593,388,523		

Total increase in volume of business from 1897 to 1903.

Subtreasury.	Increase.	Percent- age.
New York	\$881,635,953	44
Chicago	300,681,357	110
Philadelphia	248,968,102	113
Boston	71,552,188	44
San Francisco	61,403,948	55
Cincinnati	55,222,430	100
Baltimore	50,422,943	87
St. Louis	39,869,861	28
New Orleans	23,623,349	31
Average increase	192,601,059	68

The total receipts and disbursements on account of "redemption and exchange" at Philadelphia during last fiscal year were 42+ per cent of total cash business; at Chicago, but 26+ per cent of total cash business.

Total receipts of the Post-Office Department.

	New York.	Chicago.	Philadel- phia.	Boston.
1897	\$8,555,183	\$6,295,081	\$2,706,913	\$3,411,855
1898	9,259,905	7,492,689	2,997,406	3,541,357
1899	9,032,136	8,380,187	3,208,306	3,509,203
1900	10,947,738	9,473,893	3,623,339	3,767,804
1901	12,117,306	10,701,715	4,128,947	3,881,288
1902	13,074,373	11,449,050	4,585,996	4,206,846
1903	13,611,637	11,987,418	4,780,081	4,283,605
Increase	5,056,454	5,692,337	2,073,163	871,750
Per cent	59	90	70	25

Total receipts at Chicago for fiscal year 1904.....\$13,149,763

Total disbursements at Chicago, same period, same account.....13,534,221

Receipts at Chicago during month of September, 1904, for credit of Post-Office Department.

PRESIDENTIAL POST-OFFICES.

State.	Number.
Illinois	272
Indiana	100
Iowa	263
Michigan	237
Minnesota	171
Montana	29
Nebraska	121
New Mexico	1
North Dakota	63
South Dakota	50
Washington	11
Wyoming	1
Wisconsin	177
Total	1,496
Receipts	\$654,803.29

FOURTH-CLASS POST-OFFICES.

State.	Number.
Illinois	510
Indiana	98
Iowa	7
Michigan	2
North Dakota	1
Wisconsin	112
Total	730

Receipts.....\$34,890.15

Total shipments of silver coin.

Year.	New York.	Chicago.	Philadel- phia.	Boston.
1897	\$3,127,589	\$8,390,552	\$3,070,815	\$2,867,698
1898	3,531,257	10,806,016	2,855,977	2,845,342
1899	4,122,292	11,785,500	4,162,871	3,282,623
1900	4,641,319	12,872,694	4,920,265	2,795,867
1901	4,797,929	12,565,241	4,723,334	2,694,440
1902	5,477,657	14,032,141	5,406,679	4,836,400
1903	5,108,238	14,050,860	5,270,579	2,925,525
Increase	1,980,649	5,660,308	2,132,767	57,827
Per cent	63	68	71	2

Appropriations for salaries and number of employees.

Year.	New York.		Chicago.		Philadelphia.		Boston.	
	Salaries.	Num-ber.	Salaries.	Num-ber.	Salaries.	Num-ber.	Salaries.	Num-ber.
1897	\$194,500	118	\$34,220	25	\$42,340	80	\$38,910	25
1898	195,640	119	35,920	26	42,340	80	38,910	25
1899	196,360	120	37,420	27	42,340	80	38,910	25
1900	204,780	130	40,420	29	44,440	82	38,910	25
1901	204,780	130	44,080	32	44,440	82	38,910	25
1902	206,880	132	45,520	33	44,440	82	38,910	25
1903	206,880	132	53,120	38	44,440	82	38,910	25
1904	206,880	132	56,300	41	44,440	82	40,510	25

Average salary per each employee.

Year.	New York.	Chicago.	Philadel- phia.	Boston.
1902	\$1,552	\$1,379	\$1,389	\$1,556
1904	1,567	1,373	1,389	1,620

Average amount of business per each employee.

Year.	New York.	Chicago.	Philadel- phia.	Boston.
1897	\$16,697,686	\$10,863,377	\$7,287,985	\$6,409,862
1900	18,523,050	12,213,255	9,320,399	7,500,151
1903	21,606,006	15,061,600	14,550,238	9,271,975

Total cash business.

New York:	
1903	\$2,851,992,878
1902	2,648,144,439
Increase	203,848,379
Per cent of increase, 7.69 per cent.	
Chicago:	
1903	572,340,788
1902	458,607,175
Increase	113,673,615
Per cent of increase, 24.78 per cent.	
Fiscal year 1904	593,388,523

Comparison of salaries paid assistant treasurers, cashiers, paying tellers, book-keepers, and vault clerks at each subtreasury.

Subtreasury.	Assistant treasurer.	Cashier.	Paying teller.	Book- keeper.	Vault clerk.
Baltimore	\$4,500		\$1,800	\$1,200	
Boston	5,000	\$2,500	2,500	1,800	\$2,000
Chicago	5,000	2,500	1,800	1,500	1,800
Cincinnati	4,500	2,000	1,500	1,800	
New Orleans	4,000	2,250	2,000	1,500	
New York	8,000	4,200	3,000	2,400	3,200
Philadelphia	4,500	2,500	2,300	1,800	1,900
St. Louis	4,500	2,500	2,000	1,500	
San Francisco	4,500	3,000	2,000	2,500	

SUBTREASURY SERVICE.

Comparative statement of salaries for the current fiscal year (1904) arranged by offices, showing total appropriations, salaries of assistant treasurers, number of employees, average salaries, and distribution of appropriations according to the amounts paid employees at each office.

United States subtreasury.	Total appropriation.	Salary of assistant treasurer.	Number of employees.	Average salary.	Less than \$1,200.	\$1,200 to under \$1,500.	\$1,500 to under \$1,800.	\$1,800 to under \$2,000.	\$2,000 to under \$2,500.	\$2,500 to under \$3,000.	\$3,000 to under \$3,500.	\$3,500 to under \$4,000.	\$4,000 or over.
Baltimore.....	\$26,000	\$4,500	16	\$1,381	6	7	3	—	—	—	—	—	—
Boston.....	40,510	5,000	25	1,620	10	5	3	2	3	2	—	—	—
Chicago.....	56,300	5,000	40	1,283	7	20	9	3	1	—	—	—	—
Cincinnati.....	21,760	4,500	15	1,150	6	6	1	1	—	—	—	—	—
New Orleans.....	24,090	4,000	16	1,256	5	7	1	—	3	—	—	—	—
New York.....	206,880	8,000	131	1,518	38	32	18	13	21	3	4	1	1
Philadelphia.....	44,440	4,500	31	1,290	13	7	5	3	2	1	—	—	—
St. Louis.....	32,320	4,500	22	1,295	8	8	2	2	1	1	—	—	—
San Francisco.....	27,120	4,500	14	1,616	5	1	—	2	4	1	—	—	—

Roster of employees of the United States subtreasury at Chicago, Ill., showing official title of position under appropriation for 1905, official title as suggested under appropriation for 1906, salary under appropriation for 1905, and salary as recommended for appropriation for 1906.

Official title, 1905.	Title suggested, 1906.	Salary, 1905.	Appropriation suggested, 1906.
Assistant treasurer.....	Same.....	\$5,000	\$6,000
Cashier.....	Same.....	2,500	3,500
Vault clerk.....	Same.....	1,800	2,500
Paying teller.....	Same.....	1,800	2,200
Receiving teller.....	Same.....	1,700	2,000
Assorting teller.....	Same.....	1,800	2,000
Silver and redemption teller.....	Same.....	1,800	2,000
Coin, coupon, and currency clerk.....	Coin, coupon, and currency teller.....	1,500	2,000
Clerk.....	Chief of division.....	1,800	1,800
Bookkeeper.....	Chief of division.....	1,500	1,800
Clerk.....	Clearing house clerk.....	1,200	1,500
Assistant paying teller.....	Same.....	1,500	—
Bookkeeper.....	Five assistant tellers.....	1,500	7,500
Three coin, coupon, and currency clerks.....	Same.....	4,500	—
Three clerks.....	Three assistant tellers.....	3,600	4,500
Clerk.....	Certificate clerk.....	1,200	1,500
Six clerks.....	Six bookkeepers and accountants.....	7,200	9,000
Twelve clerks.....	Same.....	14,400	14,400
Stenographer.....	Same.....	900	1,200
Messenger.....	Same.....	840	1,200
Detective and hall man.....	Same.....	1,100	1,200
Three watchmen.....	Same.....	2,160	2,520
Janitor.....	Same.....	600	720
Additional.....	Three clerks.....	—	3,600
Total.....		61,700	74,640

The Official Register of the Treasury Department, September 1, 1877, shows independent treasury, Chicago, Ill., as follows: Assistant treasurer, \$4,500; cashier, \$2,500; first teller, \$1,800; second teller, \$1,500; bookkeeper, \$1,500; clerk, \$1,200; messenger, \$840; watchman, \$720.

The legislative act of March 3, 1883, provided for salaries of employees at Chicago for the fiscal year 1884, as follows: Assistant treasurer, \$4,500; cashier, \$2,500; paying teller, \$1,800; receiving teller, \$1,500; bookkeeper, \$1,500; two coin, coupon, and currency clerks (\$1,500 each), \$3,000; one assistant bookkeeper, \$1,200; two clerks (\$1,200 each), \$2,400; messenger, \$840; three watchmen, \$2,160.

Since 1884 there have been added positions designated as follows: In 1895, one coin, coupon, and currency clerk, \$1,500; 1896, one assorting teller, \$1,500; one stenographer, \$720; 1897, one bookkeeper, \$1,500; 1899, one vault clerk, \$1,800; 1901, one detective and hallman, \$1,100; 1902, one assistant paying teller, \$1,500; 1903, one bookkeeper, \$1,500; one coin, coupon, and currency clerk, \$1,500; 1904, one silver and redemption teller, \$1,800. During this period twenty-one clerks, at \$1,200 each per annum, were allowed.

The increases allowed in salary during this time are as follows: In 1897, assistant treasurer, \$500; 1902, receiving teller, \$200; assorting teller, \$300; 1903, stenographer, \$180.

Mr. BINGHAM. Mr. Chairman, this is an increase of salary, and I make the point of order that it changes current law.

The CHAIRMAN. The Chair understands the gentleman to make the point of order that it changes existing law.

Mr. BINGHAM. And I will say that in making that point of order, if I may be allowed, I make it simply in order to be consistent with the action determined upon by the committee. We had a most intelligent statement from the Treasurer himself, who came before us. He was insisting upon an increase of force. We gave him a fair, reasonable increase of the three clerks. He asked for an increase of compensation, I may say, almost generally along the line.

Mr. MANN. For these clerks drawing fifteen hundred, seventeen hundred, and eighteen hundred dollars, but only five or six out of the entire force.

Mr. BINGHAM. Yes, I recognize that; but the committee felt that they were dealing generously. In order to be consistent with the action determined upon by the committee—although there is much in what the gentleman has said—I must insist upon the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Office of Naval Records of the Rebellion: For chief clerk, \$2,000; one agent, to be selected by the Secretary of the Navy from the officers of the late Confederate navy, \$1,800; two clerks of class 2; two clerks of class 1; two clerks, at \$1,000 each; two copyists; two copyists, at \$720 each; necessary traveling expenses for collection of records, \$100; in all, \$14,340.

Mr. PERKINS. Mr. Chairman, I move to strike out, from line 22, on page 90, to line 6, on page 91.

I do this somewhat in ignorance, but it seems to me very extraordinary that we should be spending, as we are, \$35,000, forty years after the close of the civil war, in publishing Naval Records of the Rebellion; and I would like to ask the committee how many years this has been going on and how many years it will continue. It does seem as though after forty years this job ought to be pretty nearly done.

Mr. BINGHAM. I will say to the gentleman, that it is very nearly done, I think, from my knowledge, which I get from my own possession of the publication. Congress at one time ordered the publication of the Records of the War of the Rebellion in reference to the Army. The publication of those records is now completed, but I suppose that ran upward of twenty or twenty-four years. Later on they ordered the publication of the Naval Records of the War of the Rebellion. That publication commenced in 1895, and has been running on ever since. The basis of volume publication is \$10,500. It is the purpose to publish two volumes in the next fiscal year. In 1904 they published three volumes. I am of the opinion that that publication is almost complete; but the publication is directed by the statute, and we have carried it out. Some years we have authorized the publication of but one volume. This year we give them the right to publish two, for the manuscript is up and ready for the printer; and perhaps the larger appropriation is at all times preferable, because it will conclude the publications under the law at an earlier date.

Mr. PERKINS. Mr. Chairman, where there is some job of preparing records and publishing them, and the work receives no attention and no hastening from a committee that will put some limit to the time and some limit to the expense, it is the experience of all that it will continue indefinitely. It seems to me that the Appropriations Committee should impose as a condition that this work should be done within a certain number of years; and I will venture the statement that if it will impose as a condition that the work shall be done in five years, it will be done, while if no condition is imposed, fifteen years from now we shall still be printing these records. What does the gentleman in charge of the bill say?

Mr. BINGHAM. I would state in reply to that, that we are in this bill contributing, to a certain extent, to the gentleman's request. We are making a publication for the next current year of two volumes, instead of the one volume for the present year.

Mr. PERKINS. How many more volumes are there to publish? Does anybody know?

Mr. BINGHAM. That I can not tell. The statute was general.

Mr. PERKINS. Does anybody know?

Mr. BINGHAM. I should think an inquiry at the Department might tell us.

Mr. PERKINS. I thought perhaps the committee might have inquired.

Mr. LITTAUER. I think the total number will be somewhere in the neighborhood of twenty-eight volumes. Nineteen of them have already been published. We had some explanation about that.

Mr. BARTLETT. May I ask if the gentleman in charge of the bill can inform me what becomes of the volumes when pub-

lished, how they are distributed? I have now and then got one as a public document, but I would like to know how they are distributed. We are providing for an edition of 11,000 copies.

Mr. BINGHAM. I have my file at home, but I can not now tell how many sets were provided for. I can perhaps remember better in regard to the publication of the Records of the War of the Rebellion, of which we were allowed, I think, about thirty sets twenty-four or twenty-five years ago. Congress at different times, when new Members have pressed for the publication, by act, given them one or two sets. That has been followed in several cases in reference to the Naval Records. My recollection is that we are entitled to fifteen or eighteen sets.

Mr. BARTLETT. Who is entitled to fifteen or eighteen sets?

Mr. BINGHAM. Members of the original Congress that passed the law authorizing the publication of the work. It takes a special act of Congress to give a set to Members as they come in.

Mr. BARTLETT. I only wanted to find out where the work was going to when published.

Mr. BINGHAM. I filled out my complement when I had the first assignment under the statute. Several of my friends died, and I made application for a transfer of those sets to parties whom I indicated. I was informed that that could not be done; that it became an asset to the party to whom it was assigned the same as money.

Mr. BARTLETT. My reason for asking the question is that I have had frequent inquiries and requests for this publication, and I have been here ten years and have been unable to get a set.

Mr. BINGHAM. Did the gentleman get his first set?

Mr. BARTLETT. No; I was not a Member of Congress when the law was passed, and I understand that the Members of that Congress are the only ones that are entitled to this publication.

Mr. GILLET of Massachusetts. That is right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. PERKINS].

The question was taken and the amendment rejected.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR.

Office of the Secretary: For compensation of the Secretary of the Interior, \$8,000; First Assistant Secretary, \$4,500, and for additional compensation while the office is held by the present incumbent, \$1,500; Assistant Secretary, \$4,000; chief clerk, \$2,500, and \$500 additional as superintendent of the Patent Office building and other buildings of the Department of the Interior; additional to one member of Board of Pension Appeals, acting as chief of the board, \$500; nine members of a Board of Pension Appeals, to be appointed by the Secretary of the Interior, at \$2,000 each; twenty additional members of the Board of Pension Appeals, to be selected and appointed by the Secretary of the Interior from persons not now or heretofore employed in the Pension Office and without compliance with the conditions prescribed by the act entitled "An act to regulate and improve the civil service," approved January 16, 1883, for the fiscal year 1906, at \$2,000 each; three additional members of said Board of Pension Appeals, to be appointed by the Secretary of the Interior and to be selected from the force of the Pension Office, at \$2,000 each; special land inspector, connected with the administration of the public-land service, to be appointed by the Secretary of the Interior and to be subject to his direction, \$2,500; four special inspectors, Department of the Interior, to be appointed by the Secretary of the Interior and to be subject to his direction, at \$2,500 each; clerk in charge of documents, \$2,100; custodian, who shall give bond in such sum as the Secretary of the Interior may determine, \$2,100; seven clerks, chiefs of division, at \$2,250 each, one of whom shall be disbursing clerk; four clerks, at \$2,000 each; private secretary to the Secretary of the Interior, \$2,500; fourteen clerks of class 4; fourteen clerks of class 3; eighteen clerks of class 2; twenty-eight clerks of class 1, two of whom shall be stenographers or typewriters; returns office clerk, \$1,200; female clerk, to be designated by the President, to sign land patents, \$1,200; five clerks, at \$1,000 each; one clerk, \$900; ten copyists; two copyists or typewriters, at \$900 each; telephone operator, \$900; three messengers; six assistant messengers; fifteen laborers; two skilled mechanics, one at \$900 and one at \$720; two carpenters, at \$900 each; plumber, \$900; electrician, \$1,000; one laborer, \$600; six laborers, at \$480 each; one packer, \$660; two conductors of elevator, at \$720 each; four charwomen; captain of the watch, \$1,000; forty watchmen; additional to two watchmen acting as lieutenants of watchmen, at \$120 each; engineer, \$1,200; assistant engineer, \$1,000; seven firemen; one clerk, to be appointed by the Secretary of the Interior, to sign, under the direction of the Secretary, in his name and for him, his approval of all tribal deeds to allottees and deeds for town lots made and executed according to law for any of the Five Civilized Tribes of Indians in the Indian Territory, \$1,200; in all, \$321,930.

Mr. BINGHAM. Mr. Chairman, on page 103, line 17, are the words "See note A." I ask unanimous consent to have that stricken out. It is there by error.

The question was taken, and the amendment was agreed to.

The Clerk read as follows.

POST-OFFICE DEPARTMENT.

Office Postmaster-General: For compensation of the Postmaster-General, \$8,000; chief clerk, Post-Office Department, \$2,500; private secretary, \$2,500; disbursing clerk, \$2,250; bookkeeper and accountant, \$1,800; two stenographers, at \$1,600 each; appointment clerk, \$2,000; one clerk, assistant to chief clerk, \$2,000; two clerks of class 3; five clerks of class 2; one clerk of class 1; two clerks, at \$1,000 each; curator of museum, \$1,000; one clerk, \$900; telephone operator, \$1,000; messenger in charge of mails, \$900; one messenger; two assistant messengers; page, \$360; engineer, \$1,400; eight assistant engineers, at \$1,000 each; electrician, \$1,400; two assistant electricians, at \$1,200

each; three dynamo tenders, at \$900 each; one fireman, who shall be a blacksmith, and one fireman, who shall be a steam fitter, at \$900 each; ten elevator conductors, at \$720 each; fourteen firemen; carpenter, \$1,200; assistant carpenter, \$1,000; captain of the watch, \$1,000; additional to two watchmen acting as lieutenants of watchmen, at \$120 each; thirty-one watchmen; foreman of laborers, \$800; thirty laborers; ten laborers and coal passers, at \$500 each; plumber, and awning maker, at \$900 each; female laborer, \$540; three female laborers, at \$500 each; two female laborers, at \$480 each; and thirty-two charwomen; in all, \$142,910.

Mr. JONES of Virginia. Mr. Chairman, I rise for the purpose of asking the committee in charge of this bill to correct a palpable inequality, if not an actual injustice, contained therein. I observe—

Mr. BINGHAM. I reserve the point of order.

Mr. JONES of Virginia (continuing). In lines 16 and 17 of the bill that the salary of the disbursing clerk of the Post-Office Department is fixed at \$2,250. I also discover, upon examining the bill, that the disbursing clerk for the Department of Labor and Commerce, for instance, a Department that does not, I imagine, have anything like the number of employees, and whose duties are not near so onerous, is paid \$2,500. I notice, too, that the disbursing clerk for the Department of Justice is given \$2,750. In fact, Mr. Chairman, the disbursing clerks of every Department of the Government receive more than the disbursing clerk of the Post-Office Department. It is also a fact, Mr. Chairman, that within the last few years the employees of the rural free delivery have been added to the pay rolls of this Department, and the number of employees has been thus almost doubled, and the amount of money disbursed also almost, if not quite, doubled. The bond which this officer is required to furnish is a very large one—something like \$40,000, if I am not mistaken. And yet the disbursing clerk of every Department of the Government, even the Department of Labor and Commerce, gets at least \$2,500, whilst this clerk only gets \$2,250 for the performance of the same, if not greater, duties. I think this is an injustice and an inequality which the committee will recognize at once and which it will be willing now to correct.

I understand from gentlemen near me that the Postmaster-General has asked that this inequality be corrected, and that the disbursing clerk of his Department be given \$2,500—as much as the lowest given to the disbursing officer in any other Department. Now, I, as a general proposition, do not favor the increase of salaries. I don't know whether these salaries are too large or too small, but I do know that there is the grossest inequality in the salaries of the disbursing clerks of the various Departments, and if the disbursing clerk of the new Department of Commerce and Labor is to be paid \$2,500 I can see no reason why the disbursing clerk of the great Post-Office Department, with its army of employees, should not be given a like salary. I am not sure, Mr. Chairman, that the amendment which I shall offer to increase this salary to \$2,500 is not subject to a point of order; but, if it is, I do hope that the gentleman in charge of the bill will not raise that point. I hope the committee will give the House an opportunity to correct this palpable inequality and gross injustice in this bill.

Mr. BINGHAM. Mr. Chairman, I am constrained to make the point of order under instruction, and, further, to be consistent with all of my points of order in connection with this bill from the first page, and I will state to the gentleman that the office of disbursing clerk has been relieved of the obligation of superintendence of the building.

Mr. LIVINGSTON. Is the gentleman from Pennsylvania [Mr. BINGHAM] now speaking to the point of order?

Mr. BINGHAM. And the duties of that office are now, as I understand, simply those of a disbursing clerk. While there has been added to it the additional labor in connection with the rural free delivery, yet the real payments in connection with rural free delivery are made by the officers, for instance, say, of Philadelphia, which includes perhaps 1,500 or 2,000 of the force, or like New York, including away into the thousands. The accounts are paid through the post-offices in great cities or other localities throughout the country; and in order to be consistent with my action heretofore I am constrained to make the point of order.

Mr. LIVINGSTON. Will the gentleman reserve the point of order for a moment? I desire to say just a word.

Mr. BINGHAM. Oh, certainly.

Mr. MADDOX. Mr. Chairman, before the gentleman proceeds, I would like to ask the gentleman from Pennsylvania [Mr. BINGHAM] a question.

Mr. BINGHAM. I have recognized the gentleman from Georgia [Mr. LIVINGSTON], but if he will yield I will be glad to answer any questions.

Mr. MADDOX. I just desire to ask a question or two. The gentleman from Virginia [Mr. JONES] complains of an inequality

here which consists in giving this man \$2,250 and the other man \$2,500 or \$2,700. Now, if the gentleman desires to equalize this, let him move to cut the others down to \$2,250, and that will not be subject to a point of order, but will accomplish the object he has in view.

Mr. JONES of Virginia. Mr. Chairman, I will state to the gentleman that I shall certainly offer such an amendment if this point of order is insisted upon.

Mr. BINGHAM. If the gentleman desires to do that, he has that right.

Mr. LIVINGSTON. Mr. Chairman, there is no doubt that there is a great inequality in this particular case. There is no doubt about that. This gentleman has been in this position for nine or ten years, I believe. The amount of money disbursed by him now is about double the amount it was when his salary was fixed at \$2,250. He is an old soldier, and therefore is getting along in years. His bond is for the sum of \$40,000. He is the only bonded disbursing officer that I can now recollect who is paid so small an amount as \$2,250, who gives anything like so large a bond. The inequality was complained of by the Department, and the Postmaster-General recommended that this man's salary be raised to \$2,500. Why it was not done in the committee room I do not now recollect.

Mr. BINGHAM. My recollection is that there was no special, emphatic attention called to it at the time.

Mr. LIVINGSTON. I think that the gentleman in charge of the bill, the gentleman from Pennsylvania [Mr. BINGHAM], is correct in that statement. There was no special mention made of it.

Mr. JONES of Virginia. Nobody appeared before the committee in respect to it.

Mr. LIVINGSTON. Our attention was not called to it in the particular way in which it has been done at this time by the gentleman from Virginia [Mr. JONES]; and I desire to ask the gentleman in charge of the bill to let the House vote on it for this reason. We have paragraphs in this bill that are subject to points of order, brought in here by the committee, and we have been allowing the House to pass upon those. Now, if some Member of the House proposes an amendment which is subject to the rule, why not let the same course be taken? If the House desires to increase that salary to \$2,500, let it do so. If not, then the House will vote down the amendment proposed. I do hope that my colleague, the gentleman from Pennsylvania [Mr. BINGHAM] will not make the point of order, but will let the vote be taken.

It might bring more trouble later on; we have some amendments subject to the point of order.

Mr. BINGHAM. I do not think the gentleman means to put it that way.

Mr. LIVINGSTON. Well, it has been put in that way, and I can not help it; and I wanted to make the suggestion to the gentleman in charge of the bill to let the House settle it.

Mr. BINGHAM. In that same Department an increase is asked for the chief clerk. They want him lifted to \$3,000. There is just as much merit in the one case as in the other, and while I would like personally to do it, I want to be consistent with the position taken on this bill, and I think that is the only salvation we have, to follow a consistent rule, and then no one can take exception to our action. I do not wish the responsibility myself of saying, "Yes, we will accept this," and "No, we will not accept that." It is a hard place for my colleague to place us in.

Mr. LIVINGSTON. The only reason I ask is, this is a patent inequality. On its face it is wrong, and I suppose we would have righted it if our attention had been called to it. Now I ask that the House may right it if it wishes so to do.

Mr. BINGHAM. I will say to the gentleman, if he will allow me, the sum total of disbursements is less than \$2,000,000, and it is right here in the Department. It is not like the disbursing clerk of the Department of Justice, who disburses six or seven or eight million dollars all over the country, but this disbursing clerk has only the adjustment of the accounts of the Post-Office Department right here. That is going into the merits of the proposition, and I am constrained to say to the gentleman I must make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Office of the purchasing agent: For purchasing agent, \$4,000; chief clerk, \$2,000; one clerk of class 4; one clerk of class 3; one clerk of class 2; two clerks of class 1; two clerks, at \$1,000 each; one assistant messenger; actual and necessary expenses of the purchasing agent while traveling on business of the Post-Office Department, \$500; in all, \$16,420.

Mr. BARTLETT. Mr. Chairman, I make the point of order upon that part of the bill beginning in line 25, page 126, from the word "dollars," commencing at "chief clerk" down to and in-

cluding the word "dollars," in line 6, page 127. I make the point of order that that appropriation for this office is not authorized by law.

Mr. BINGHAM. Is the gentleman going to debate the proposition?

Mr. BARTLETT. I am going to try to inform the Chair all I can about it. This office, Mr. Chairman, is that of purchasing agent for the Post-Office Department. It was established in the Post-Office appropriation bill approved April 28, 1904, and did not provide for anything but a purchasing agent, and is to be found in section 3, page 12, of Public Act, No. 191, of the last session of Congress, and it reads as follows:

That there shall be appointed by the President, by and with the advice and consent of the Senate, a purchasing agent for the Post-Office Department, who shall hold office for four years, unless sooner removed by the President, and who shall receive an annual salary of \$4,000, etc.

I will not read all the section to the Chair—I will send the Chair the bill if he desires to have it. There is no provision in the bill establishing this office of purchasing agent that authorizes these salaries here or anywhere else I am aware of. I do not think the proposition that there is no such law authorizing these clerks will be disputed. There is no such law I am aware of to authorize the employment of these clerks and the expenditure of the additional \$12,400 in the office of the department of the Post-Office Department, namely, the office of purchasing agent, and therefore I make the point of order.

The CHAIRMAN. Will the gentleman from Georgia be kind enough to send up that copy of the law?

Mr. BARTLETT. Yes, sir. I have marked the section; it is section 3.

Mr. BINGHAM. Mr. Chairman, I desire to be heard. Has the gentleman concluded his remarks?

Mr. BARTLETT. I had not; but does the gentleman desire me to reserve the point of order? I say, Mr. Chairman, that is all the law I know of authorizing this particular division in the Post-Office Department—that of purchasing agent—and there is no other law on the statute book establishing that office and providing for these clerks than is given here, and therefore I make the point of order this is new legislation and that office and everything creating a salary therein are not authorized by law. That is all.

Mr. BINGHAM. Mr. Chairman, I desire first to call your attention to section 169 of the Revised Statutes, which authorizes Congress to appoint such number of clerks as may be required, and under the language of the statute that carries out existing law, and if the Chair will turn to section 3 of the Post-Office appropriation bill for the current year he will find—

That there shall be appointed by the President, by and with the advice and consent of the Senate, a purchasing agent for the Post-Office Department, who shall hold office for four years unless sooner removed by the President, and who shall receive an annual salary of \$4,000, give bond to the United States in such sum as the Postmaster-General may determine, and report direct to the Postmaster-General, and who shall, under such regulations not inconsistent with existing law, as the Postmaster-General shall prescribe, and subject to his discretion and control, have supervision of the purchase of all supplies for the postal service.

Now, there has been detailed from the Post-Office Department to carry out this law some five or six clerks from the First Assistant Postmaster-General's Office. In the appropriation bill for the Post-Office Department there was no compensation made for this office, newly created, called "disbursing agent," and under the provisions of the statute to which I have referred, if the Chair will look at section 164 of the Revised Statutes he will see that we are wholly within the law in providing for this class of work that is to-day a part of the current law, and by and with the advice and consent of the Senate the officer has been selected and already qualified.

Mr. COWHERD. I would like to ask the gentleman how it happens that these clerks are provided for in the legislative bill instead of the Post-Office appropriation bill?

Mr. BINGHAM. It is one of the bureaus of the Department here. It is not the force in Philadelphia, or other places, that your own bill covers.

Mr. CHARLES B. LANDIS. I would like to ask the gentleman if this is an entire addition to the Government force?

Mr. BINGHAM. It is an entire addition to the Government force, following the authority of the Revised Statutes, an act of Congress, and further, in order that the work may be done as the current law requires it should be done, by the purchasing agent under that provision of law.

Mr. CHARLES B. LANDIS. Where do the clerks go that have been doing this work?

Mr. BINGHAM. They go right back to their places.

Mr. CHARLES B. LANDIS. And they will perform the same work that these clerks have temporarily been doing?

Mr. BINGHAM. I would say that this office has only been in existence a few months.

Mr. CHARLES B. LANDIS. I understand that; but there is something that I do not understand about the public service, and that is that you can make a detail of twenty-five clerks out of a bureau, and send them over here to some other bureau, and they remain there for weeks performing this temporary duty, and the work of the bureau from which they are detailed is going right along just the same. Now, I can not understand why you do not let them remain there, under another designation, if necessary, if the work in the bureau from which they are detailed has been going on just the same without them, and you would thus save the salaries for it.

Mr. BINGHAM. I will say to the gentleman that it has been the effort of the committee in presenting this bill to correct all abuses wherever we could. We did not consider this as pertaining to the general assignment of the subordinate clerks of the Post-Office Department, and we have tried to prevent the evil of which the gentleman has spoken. They have only been there performing that work temporarily.

Mr. CHARLES B. LANDIS. I understand that.

Mr. BINGHAM. The law has only been running since last July, and I would regard that as a mere temporary detail. It is different from a detail of two or three years.

Mr. CHARLES B. LANDIS. Why not simply legalize the detail and let these clerks remain there to perform this service, as it does not seem that the bureau from which they were detailed has suffered at all by reason of their absence?

Mr. BINGHAM. It may be that it has not suffered to any extent because their absence has been but a few months. It would be if their absence was for a long period.

Mr. CHARLES B. LANDIS. But it seems that the work has been going on just the same in the bureau from which they were detailed. This is making new places, as you specify them in this bill, providing clerks to do the work that these clerks have been doing.

Mr. BINGHAM. Congress has fixed this work upon the Department. It has said what shall be the duties of this purchasing agent, and we took up the question as presented to us. These clerks are detailed from the Department who carried out the work, and Congress has directed that their bureau shall be reorganized, so that it shall carry out the work in the future.

Mr. LITTAUER. I would like to add a word of explanation. The committee was asked for a large increase of force and did not give it, but we give the detail to this purchasing-agent bureau. Then, Mr. Chairman, the work of the Post-Office Department has been increasing from year to year.

Mr. CHARLES B. LANDIS. Then how did it happen that no other branch suffered by reason of the detail of these clerks who did this work?

Mr. BINGHAM. The First Assistant asked an increase of clerks in his office, and we did not give a single clerk. We said to him, "Take your men doing the work now in the purchasing-agent bureau and go on with your regular work." We did not give a single dollar; we did give the First, Second, and Fourth Assistants additional help.

Mr. CHARLES B. LANDIS. What I do not understand, and what seems to me to be an anomalous condition, is, that you can take twenty-five or thirty clerks, doing a certain branch of work, and transfer them, and keep them six months, and yet the business of the branch from which you have taken them does not seem to suffer at all.

Mr. BINGHAM. We recognize that; and I will say generally we have corrected that very largely in this bill.

Mr. CHARLES B. LANDIS. And yet a number of additional clerks are put on.

Mr. BINGHAM. This is the only exception in establishing this bureau in the Post-Office Department, as the gentleman from New York has stated.

Mr. CHARLES B. LANDIS. I would like to ask the gentleman from Pennsylvania this question. Last year an extra half hour was put on the various Departments for clerical service. Has it been your observation and has the general opinion been that the work done has justified that increase in the length of the hours of service?

Mr. BINGHAM. I would state that General Ainsworth referred to that matter in his testimony. The matter was gone over and the inquiry was made of him about it, and he said that it had resulted in the greatest benefit to the Department.

Mr. CHARLES B. LANDIS. Well, if it has resulted in the greatest benefit to the Department, I can not understand why we should have, in nearly all these branches, a demand for additional clerical assistance.

Mr. BINGHAM. We have tried, as I have stated several times on the floor, to cut them down to bed rock in all the Departments, and while they estimated for over \$1,000,000 of increase, we cut out of that \$1,000,000 the sum of \$800,000—I

am speaking in round numbers—and we have recognized the fact that that additional half hour carries with it some conclusions, and, as General Ainsworth said, most important conclusions, so far as the result of work is concerned.

Mr. COWHERD. Mr. Chairman, I would like to ask the gentleman from Pennsylvania if this is intended to cover only the clerks that are now in the office of the purchasing agent?

Mr. BINGHAM. The clerks now in the purchasing agent's office will return to the office of the First Assistant Postmaster-General. They will then under this statute have the right to ask the Civil Service Commission for whatever clerks we give them, and will follow the regular rule.

Mr. COWHERD. I want to say to the gentleman from Pennsylvania, as one member of the Post-Office Committee, that when that office was created we did not suppose it would be necessary to supply a force of clerks to take care of the work. There was a supply division then in the Post-Office Department, and there were different clerks in all the four different branches of the Department, purchasing or assisting in the purchase and distribution of supplies; and it was supposed, I know, at least by myself—I can not speak for the rest of the committee—that there would be enough clerks detailed from these different departments whose business had been taken away by the creation of the office of purchasing agent to supply all the clerical force he would need.

Mr. BINGHAM. The officer in charge, appointed by the President and confirmed by the Senate, as your statute directed, was given a full hearing. He impressed the committee with the necessity of allowing these clerks. He said that his purchases would exceed \$5,000,000, and with all the ramifications of accounts and adjustments and other matters in connection with that office, we felt we were giving him a fair living force. And understand this, should it appear next year that we can make any cut in this force, we will do so. It is fair when an office is created to give it elbow room to start, not to any extreme extent, I grant the gentleman, but there should be such legislation as will give the commencement of a good administration; and, as I have said, if in the future we can cut, we will do so.

Mr. COWHERD. I fully agree with the gentleman and with the officer in charge of the purchase of supplies that he needs the force. The question is, Can it not be detailed from some of the other departments whose work is taken away by the creation of his office? The gentleman knows that no department officer ever willingly yields up a clerk if he can avoid doing so.

Mr. BINGHAM. I will say to the gentleman that we are trying to stop these details all around.

Mr. OLMSTED. Mr. Chairman, will my colleague yield to me for a question?

Mr. BINGHAM. With pleasure.

Mr. OLMSTED. By whom were these purchases made before this agent was appointed or provided for?

Mr. BINGHAM. I can not say from my knowledge of the administration of the Department.

Mr. OLMSTED. They were made by somebody in the Department, were they not?

Mr. BINGHAM. Yes; they were made by clerks in the Department.

Mr. LITTAUER. Mr. Machen made a good many of these purchases.

Mr. OLMSTED. If there was force enough in the Department to cover these purchases, is there not force enough now?

Mr. BINGHAM. It must have been by specific law, as we know by experience. Mr. Machen, Mr. Beavers, and probably others made the purchases.

Mr. LIVINGSTON. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. LIVINGSTON. I make the point of order that gentlemen are not discussing the point of order.

Mr. BINGHAM. Of course, we have been discussing the merits of the case. I have submitted my objection to the first proposed amendment.

The CHAIRMAN. The post-office appropriation bill for 1904 created the office of purchasing agent for the Post-Office Department. It did not, however, provide for any office force for the performance of the duty of that Department, but it prescribed that the purchasing agent should report direct to the Postmaster-General, and that under such regulations, not inconsistent with the existing law, as the Postmaster-General should prescribe, and subject to his direction and control, he should have supervision over the purchase of all supplies of the post-office service. It then goes on and prescribes the purchasing agent's duties, and they are such that he can not perform by himself without assistance of a clerical force. It is not to be assumed for a moment

that such an anomaly was intended by the authors of that law, and, indeed, we find that no such anomaly exists, because, under section 169 of the Revised Statutes, Title IV, the head of the Post-Office Department and the heads of all other Executive Departments named in the title are authorized to employ such a number of clerks of the several classes recognized by law, such messengers, assistant messengers, copyists, and other employees at such rate of compensation, respectively, as may be appropriated for by Congress from year to year. So it seems to the Chair that the point of order is not well taken and must be overruled.

Mr. PRINCE. Mr. Chairman, may I ask the chairman of the committee one question?

Mr. BINGHAM. With pleasure.

Mr. PRINCE. It is in regard to this matter—

Mr. BINGHAM. What matter?

Mr. PRINCE. This matter that we have just passed over. Is it not true that you add to this division through the office of the purchasing agent nine additional clerks to the present post-office force?

Mr. BINGHAM. We give them nine new clerks because there has been no legislation preceding his appointment that gives him anyone under any act of Congress. He must do the work by detail, and the detail has been made by clerks from the First Assistant's office.

Mr. PRINCE. You do not in any part of the bill reduce the number of clerks that have heretofore performed these duties?

Mr. BINGHAM. No.

Mr. PRINCE. So you leave the same ones in the Department and add nine additional ones?

Mr. BINGHAM. That is right.

The Clerk read as follows:

Office Second Assistant Postmaster-General: For Second Assistant Postmaster-General, \$4,500; chief clerk, \$2,500; superintendent of railway adjustments, \$2,500; assistant superintendent of railway adjustments, \$2,500; superintendent of foreign mails, \$3,000; chief clerk, \$2,000; chief of division of inspection, \$2,000; chief of contract division, \$2,000; chief of mail equipment division, \$2,000; eleven clerks of class 4; forty clerks of class 3; thirty-one clerks of class 2; stenographer, \$1,600; twenty-four clerks of class 1; seventeen clerks, at \$1,000 each; six clerks, at \$900 each; messenger in charge of mails, \$900; six assistant messengers; in all, \$208,220.

Mr. JONES of Virginia. Mr. Chairman, I raise a point of order against the item on page 128, lines 17 and 18, "assistant superintendent of railway equipment, \$2,500." The present salary of that official is \$2,000, and this is an attempt, in violation of the rules of the House, to increase his salary from \$2,000 to \$2,500. I make a point of order against this increase. It changes existing law.

Mr. BINGHAM. I would state to the gentleman from Virginia that I have no personal interest in the matter.

Mr. JONES of Virginia. And I have no personal interest in it, either.

Mr. BINGHAM. The gentleman is within his rights.

Mr. JONES of Virginia. The gentleman from Pennsylvania made the same point against me.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Office Third Assistant Postmaster-General: For Third Assistant Postmaster-General, \$4,500; chief clerk, \$2,500; superintendent postage-stamp supplies and postmasters' accounts, \$3,000.

Mr. JONES of Virginia. Mr. Chairman, I make the same point of order against the provision on page 129, lines 8 and 9, for "superintendent postage-stamp supplies and postmasters' accounts, \$3,000." The salary of that official as now fixed by law is \$2,500. This is an attempt to increase the salary to \$3,000, and thus to violate the rule to which I have but just called attention.

Mr. BINGHAM. Again I will say to the gentleman that this was the result of careful, thoughtful examination by the committee. The officer is one of long experience in the Department in a technical line of work, but the gentleman is within his rights. Mr. Chairman, do I understand that the Clerk knows the order that when a change occurs in the bill where we have increased the salary and we revert to the original salary he inserts it in the bill and makes the correction in the sum total?

The CHAIRMAN. That is understood.

Mr. PERKINS. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman desire to discuss the point of order?

Mr. PERKINS. No.

The CHAIRMAN. For the reasons given by the gentleman from Virginia [Mr. Jones] the point of order is sustained.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word. I see that the committee, on page 109, allow for persons traveling for the Secretary of the Interior their expenses, not

exceeding \$3 per day; and, on page 130, persons traveling for the Post-Office Department their expenses, not exceeding \$4 per day. Why does it cost more to travel for the Post-Office than for the Secretary of the Interior.

Mr. BINGHAM. Mr. Chairman, the explanation given by one familiar with the creation of the law indicates that one class of special agents operate wholly in cities, whereas the other class of special agents operate in the country sections, where the conditions are different as to expenditures, and as a general proposition your committee in charge of the bill has had no expressions of question as to the wisdom of this legislation.

Mr. PERKINS. Mr. Chairman, that explanation can not be correct. The employees of the Post-Office have to go to the cities quite as much as the employees of the Interior Department. Either \$3 is too little or \$4 is too much. It seems to me almost absurd on the face of the bill to have one class of employees get \$3 for expenses and another class \$4.

Mr. BINGHAM. I would state to the gentleman that we have acted upon the information conveyed to us in the first place. The Secretary of the Interior makes his estimates and sends a subordinate here, who comes before us with them. The Postmaster-General makes his estimates and sends his subordinate before us to make a statement. There has been no question as to the distinction made in that respect.

Mr. PERKINS. Why does not the committee question the subordinate of the Post-Office Department to see why that Department gets a dollar a day more than the Secretary of the Interior?

Mr. BINGHAM. Mr. Chairman, I have given the gentleman the only explanation conveyed to us, and that is the difference of cost in living as between cities and country sections.

Mr. PERKINS. Oh, but that is not correct, because the Post-Office agents go to both.

The Clerk read as follows:

Office of topographer: For topographer, \$3,000; assistant topographer, \$2,000; three skilled draftsmen, at \$1,800 each; four skilled draftsmen, at \$1,600 each; three skilled draftsmen, at \$1,400 each; three skilled draftsmen, at \$1,200 each; examiner, \$1,200; one clerk of class 2; map mounter, \$1,400; mechanic, \$1,000; two copyists of maps, at \$1,000 each; two copyists of maps, at \$900 each; assistant map mounter, \$720; one assistant messenger; in all, \$34,840.

Mr. JONES of Virginia. Mr. Chairman, on page 131, lines 9 and 10, 16 and 17, and 17 and 18, there are three items, against each of which I make a point of order. The first provides for the employment of a topographer at \$3,000. The present salary of that official is \$2,750. There is an increase of \$250 proposed in the bill. In line 16 there is a map mounter at \$1,400. His present salary is \$1,200. In lines 17 and 18 there are two copyists of maps provided for at \$1,000 each, and the present salary of those employees is \$900 each. I make a point of order against each of these items.

Mr. BINGHAM. Mr. Chairman, I will simply state to the gentleman that the justification for this action on the part of the committee was, in the case of the topographer, that the man is highly educated and does a line of technical work. He has been in that line of work, if I recollect correctly, some thirty-seven years, and we have felt that it was a reasonable increase. His line of work is scientific, technical, and he is the best topographer in your Government; but the gentleman is within his rights.

Mr. JONES of Virginia. Mr. Chairman, I am sure the statement of the gentleman is entirely correct, but the gentleman admitted that there were other inequalities in this bill which he was not willing to correct. There are other salaries here that ought to be placed upon an equality with those enjoyed by other employees who perform the same class of work. A point of order was made by the gentleman against correcting at least one of those inequalities, and I am simply giving the gentleman the same kind of medicine that he administered to me.

Mr. BINGHAM. Mr. Chairman, I very much regret that in the carrying out of the instructions of my committee I have somehow provoked, perhaps, a little resentment on the part of the gentleman, but I assure him no such feeling existed in the consideration of the bill. We took up each division of this great Government and tried to measure out simple justice in increases as well as a fair judgment with reference to an increased force, but I must submit to the gentleman's criticism. I regret it very much.

Mr. GILLET of Massachusetts. Mr. Chairman, I wish to say a word on the point of order. Of course the gentleman has a right to retaliate, if he wishes, upon the committee, and as far as these innocent persons are concerned that is his responsibility and not ours. But he raises a point of order against two copyists. Now, the statute under which clerks can be appointed applies also to copyists, so that it seems to me the point of order is not well taken. If the Chair will turn to sec-

tion 169 of the Revised Statutes he will find that the head of the Departments may employ "such number of messengers, copyists, watchmen, laborers, and other employees." Now, as to that of course the point of order does not apply. As to the topographer it does. This language of the statute does not apply of course to the topographer; but it clearly does to the other changes as to which the gentleman makes the point of order. The only one in this section against which he can make the point of order is the topographer.

Mr. JONES of Virginia. Mr. Chairman, I am willing to withdraw the point of order as to the copyists.

The CHAIRMAN. The gentleman withdraws his point of order as to them. Does the Chair understand that any question is made as to the point of order in respect to the others—that this is an increase?

Mr. GILLET of Massachusetts. I have no question about that.

The CHAIRMAN. Then the Chair must sustain the point of order.

The Clerk read as follows:

DEPARTMENT OF JUSTICE.

Office of the Attorney-General: For compensation of the Attorney-General, \$8,000; Solicitor-General, \$7,500; assistant to the Attorney-General, \$7,000; five Assistant Attorneys-General, at \$5,000 each; Assistant Attorney-General of the Post-Office Department, \$4,500; solicitor of internal revenue, \$4,500; solicitor for the Department of State, \$4,500; two assistant attorneys, at \$3,000 each; four assistant attorneys, at \$2,500 each; assistant attorney, \$2,000; assistant attorney, in charge of dockets, \$2,500; law clerk and examiner of titles, \$2,700; chief clerk and ex officio superintendent of the buildings, \$2,500; private secretary to the Attorney-General, \$2,500; confidential clerk to the Attorney-General, \$1,600; stenographer to the Solicitor-General, \$1,600; two confidential clerks, at \$1,600 each; law clerk, \$2,500; two law clerks, at \$2,000 each; attorney in charge of pardons, \$2,400; disbursing clerk, \$2,750; appointment clerk, \$2,000; four clerks of class 4; eight clerks of class 3; three clerks of class 2; seven clerks of class 1; telegraph operator and stenographer, \$1,200; eleven clerks, at \$900 each; chief messenger, \$1,000; one messenger; seven assistant messengers; four laborers; three watchmen; engineer, \$1,200; three firemen; two conductors of the elevator, at \$720 each; eight charwomen; superintendent of buildings, \$250. Division of accounts: Chief of division of accounts, \$2,500; four clerks of class 4; five clerks of class 3; seven clerks of class 2; six clerks of class 1; two copyists; one packer, \$540; in all, \$208,940.

Mr. JONES of Virginia. Mr. Chairman, on page 134, in line 25, and on page 135, in line 1, I move to amend the item which gives the disbursing clerk of the Department of Justice \$2,750 by striking out the words "twenty-seven hundred and fifty dollars," and inserting in lieu thereof the words "twenty-two hundred and fifty dollars," which will reduce that salary by \$500.

Mr. CRUMPACKER. Mr. Chairman, I desire to make the point of order against the amendment. I raise the point of order that the amendment changes existing law. The law fixes the salary of the disbursing clerk at the amount named in the bill. I admit that Congress in a general appropriation bill may appropriate a lesser amount for salary than the law fixes, provided the appropriation does not change existing law; but all parts of this bill must be construed together, and I ask the Chair's attention to the provision appearing in the early part of the measure, on the first page, in line 5, where will be found this statement:

The appropriation to be in full compensation for the services of the fiscal year ending June 30, 1906, for the objects hereinafter expressed, namely.

So that if this amendment prevails, it will change existing law. The provision making the appropriation a full compensation for the object named has been adopted and accepted by the Committee of the Whole, and the operation of this amendment must be considered in connection with the provisions of the bill that have already been acted upon. There can be no question at all that if this amendment prevails it does change existing law, in view of the previous action of the committee. There can be no sort of question about it, and it does violate the express terms of rules of this House against changing existing legislation. If the provision that I have directed the Chair's attention to were not contained in the bill, an appropriation of less than the salary fixed by law would not liquidate the obligation of the Government. It would not change existing law. It has been frequently so decided. I admit that Congress has a right to appropriate a lesser sum than will become due when that appropriation does not change the law; but this appropriation, taken in connection with the prior action of the committee, does necessarily have that effect, and I insist that the committee can not by a subterfuge do that which it can not do directly, and I think if the effect of the amendment is to change existing law it is not in order, and there can be no question about the effect of this amendment.

Mr. JONES of Virginia. I desire, Mr. Chairman, to be heard for a moment on the point of order. Mr. Chairman, I insist that inasmuch as my amendment reduces the amount of this salary it is not obnoxious to the point of order which the gentleman makes.

I call the Chair's attention to a ruling of the Chair in January last, made by the gentleman from Pennsylvania [Mr. OLMSTED], who then presided over the Committee of the Whole House. Mr. COWHERD, the gentleman from Missouri, moved to strike out the word "six" in the salary of the Director of the Census and substitute therefor the word "five," thus reducing the salary from \$6,000 to \$5,000. The gentleman from Pennsylvania [Mr. BINGHAM], who is now in charge of this bill, made the exact point which the gentleman from Indiana now makes. The gentleman from Pennsylvania then said, "I simply state that it changes existing law and further that it is a part of the organic law creating the Department of Commerce and Labor, which takes in the Bureau of the Census and fixes the compensation allowed," exactly the position now taken, as I understand, by the gentleman from Indiana.

Mr. CRUMPACKER. Will the gentleman allow me a suggestion? I confess that the committee or the Congress has the right to appropriate an amount less than that fixed by existing law for salary in a general appropriation bill, but not in connection with a provision that says that appropriation shall be taken in full compensation for the salary. Simply an insufficient appropriation does not change existing law, but leaves still a liability against the Government for the balance not appropriated for. This appropriation liquidates the liability of the Government.

Mr. JONES of Virginia. I think, Mr. Chairman, if my friend from Indiana has any respect for the ruling of the Chair to which I referred that he will see that his whole point is answered, if he will but permit me to proceed a little further.

Mr. HEMENWAY also discussed this point. He said:

I want to make this further suggestion: It would change existing law, for the reason that this bill says "in full compensation for services for the fiscal year ending June 30, 1905."

So that the gentleman's colleague from Indiana [Mr. HEMENWAY], who is chairman of the Committee on Appropriations, made, as I understand, precisely the point that the gentleman now makes.

Mr. CRUMPACKER. Let me ask the gentleman a question.

Mr. JONES of Virginia. Let me finish before the gentleman proceeds.

Mr. CRUMPACKER. I beg the gentleman's pardon.

Mr. JONES of Virginia. Mr. HEMENWAY continued:

Now, then, to appropriate at less than the amount fixed by statute would be a change of existing law. Then I desire to call attention further toward the repealing clause at the end of the bill: "That all laws or parts of laws inconsistent with this act are repealed."

Mr. COWHERD. We have not reached that yet. It is a question whether this is subject to a point of order.

The CHAIRMAN. The Chair is of the opinion that it is competent for the House to appropriate a less amount than the salary fixed by the law.

I think, Mr. Chairman, it is not necessary for me to say anything further upon this point. I rely upon the decision to which I have called the Chair's attention. It is exactly in point, was acquiesced in by the Committee of the Whole House, and I have no doubt will be adhered to in this instance by the present occupant of the chair.

Mr. CRUMPACKER. Just a word. I think a distinction exists between the case cited by the gentleman from Virginia and the case now before the Chair. My recollection is that in that bill the provision making the appropriations full compensation for the objects for which they were appropriated occurred later in the bill, and did not happen to precede them, as in this case. It is like the provision in the bill repealing all laws inconsistent, if there were laws that were inconsistent—that would be new legislation.

There can be no sort of question that this amendment, if it prevails, will change the existing law, because it reduces the salaries for 1906 to \$2,250. When an officer accepts that amount the bill says it shall be in full compensation—and it does change existing law, and it can have no other effect.

The CHAIRMAN. The Chair has a great deal of sympathy with the gentleman from Indiana. The same point of order that has been raised by the gentleman from Indiana was raised by the present occupant of the chair in the Fifty-first Congress, and was overruled. If the gentleman from Indiana had made his point of order against the clause on the first page of the bill, which says "in full compensation for the service, etc.," the point of order would have been sustained. That was not objected to, and it is now a part of the bill. It has been ruled so many times that it would be an assumption on the part of the Chair to rule otherwise, that Congress has the right to appropriate less than the sum fixed by law; and certainly in the condition in which this bill is now, with the point of order pending, it can work no change of law. The party has his remedy to recover his salary, notwithstanding the bill. The Chair therefore overrules the point of order.

Mr. CRUMPACKER. Now I desire to make the point of order to the provision on the first page of the bill. When that paragraph was read there was no provision in the bill that made it a change of existing law. The compensation of this officer was in accordance with law, and therefore it could not change existing law; and I insist, if the Chair please, that in instances where the effect of a provision has been changed by subsequent action of the committee—action which makes the provision open to an objection that did not exist when it was read—any Member then has the right to recur to the provision and make the objection. In this case the first provision was not subject to a point of order when it was read and adopted, but became so by the subsequent action of the Committee of the Whole.

Mr. BINGHAM. I make the point of order against that.

Mr. JONES of Virginia. The objection comes too late.

The CHAIRMAN. The Chair is ready to rule. In the first place, it is too late to make the point of order. In the next place, the very language of the paragraph on page 1 was notice to Members of the House that the salaries, as fixed by law, were to be lowered, because the provision is that the amounts appropriated shall be "in full compensation," notwithstanding that they are not in full compensation.

Mr. CRUMPACKER. I beg the Chair's pardon. When the paragraph under consideration was read and adopted all other provisions of the bill were in conformity with law. The appropriations were all for the full amounts, and the effect of this paragraph did not change salaries already fixed. It provides that the amounts appropriated should be in full compensation for salaries, and this would have been the case if no such provision had been in the bill at all. It was purely supererogatory, a mere redundancy, because the payment of a salary fully liquidates the obligation for the salary. But now it is proposed to reduce the appropriation below the amount of the salary fixed by law and the former provision requiring the amount appropriated to be in full compensation for the salary becomes operative and changes a salary fixed by law, a thing that can not be done on a general appropriation bill under the rules of the House. A provision that is unobjectionable when acted upon can not be rendered open to a point of order by subsequent action without giving Members the right to raise the objection. I propose to make the point of order to the provision at the first moment the provision is subject to it.

The CHAIRMAN. Unless there was an intention to reduce the appropriations in the pages following page 1 below the amount fixed by law, there was no necessity for putting in any such clause, and it was therefore a notice to Members of Congress that such appropriations would be contained in the bill below the amounts fixed by law. The Chair is very clear that the point of order ought to be overruled. The question now is on the amendment.

Mr. JONES of Virginia. Mr. Chairman, I desire to say a word on the merits of this proposition. It must be obvious to every Member of this House that if the salary paid to the disbursing clerk of the Post-Office Department, with all of his responsibilities and duties, is adequate, then this salary is too large, and I submit that it should be the desire of the committee having in charge this bill to equalize, as far as possible, the salaries that are provided for therein.

Within the last few years the disbursements in the Post-Office Department have about doubled. The number of those who have now to be paid by the disbursing officer is probably double what it was a few years ago. The Postmaster-General has requested that this inequality be remedied in order that the disbursing officer of his Department shall be given a salary which he deems commensurate with his duties and responsibilities, and which is at least equal to that given to the disbursing officers of those Departments where the same amount of work is not rendered. I realize, Mr. Chairman, that the disbursing officer of the Department of Justice has to pay other officials than the hundred or so who are in the Department in this city; that he probably has to pay judges, marshals, and district attorneys; but assuming such to be true, his duties are not as onerous, nor are his responsibilities as great, I submit, as are the duties and responsibilities of the disbursing officer of the Post-Office Department, one of the greatest Departments of the Government. It was admitted, when the point of order was under discussion, that the inequality of which I then complained existed. It can not be denied that there is this inequality, and this is the time to correct it. If we can not correct it by increasing the salaries of such officers as are performing the same work and getting less pay for it, then we can at least correct it by decreasing the salaries of those who are performing the same or less work, until all shall receive the same compensation and stand upon an equality. And that would be in strict accordance with what the gentlemen who are in charge of this bill have declared to be their purpose—to reduce salaries wherever

they can in justice and fairness be reduced, and to economize in every possible direction. I submit, Mr. Chairman, that if the House wants to be fair and just to the employees of the Government, to treat all alike and to discriminate against none, the opportunity is now presented to them to be so.

Mr. BINGHAM. Mr. Chairman, as the House has indulged the gentleman, independent of a discussion of the point of order, as to the native merits of the case—

Mr. LIVINGSTON. The point of order has been decided.

Mr. WILLIAMS of Mississippi. The point of order has been decided, and he argued on the merits.

Mr. BINGHAM. I simply desire to reply, as the House has indulged the gentleman.

The only similarity between the disbursing officer of the Post-Office Department and the disbursing officer of the Department of Justice is in the fact that they are both called disbursing clerks. In considering the compensation which a clerk should have, we take up the measure of the work that he does. The work of the disbursing clerk of the Post-Office Department is confined to the Department here, and reaches almost \$2,000,000. The work of the disbursing officer of the Department of Justice is an entirely different line of disbursing clerk's work. He pays all the justices of the United States courts from Maine to California, as well as the employees of the Department of Justice here in Washington.

Mr. JONES of Virginia. Will the gentleman permit a question there? Does not the disbursing officer of the Post-Office Department pay all the rural free delivery carriers?

Mr. BINGHAM. Oh, no; they come under the Post-Office bill. We do not touch them here at all. All we touch in this bill is the Department work here in Washington. The post-office bill brings up its own line of legislation. For example, the officials and employees in the post-office of my home city of Philadelphia are paid by the postmaster, through clerks in that office. The same is true of the New York post-office, and also of the customs service all over the country. With the exception of the Department of Justice, we only touch the officers here in the Departments in Washington in this bill. Now, as the figures are given to me, almost \$9,000,000 are disbursed annually by the disbursing clerk of the Department of Justice, while not quite \$2,000,000 are disbursed by the disbursing clerk of the Post-Office Department. Those are the merits of the two propositions.

As the Chair has ruled, the gentleman from Virginia stands on his rights, but I want to emphasize the fact that the purpose of the committee was to be as just and fair as we could be.

Mr. JONES of Virginia. It is not a question of the ruling of the Chair. The matter now comes up on a vote of the committee, and we are discussing the merits. I desire to ask the gentleman another question. I notice in this bill that the disbursing clerk of the Department of Labor and Commerce—and I ask this question now because it may prevent the consumption of time hereafter—I ask if the duties of the disbursing officer of the Department of Labor and Commerce, who receives \$2,500, are anything like commensurate with the duties of the disbursing clerk of the Post-Office Department? I do not claim to know how much money the disbursing clerk of the Department of Justice pays out, but I would like the gentleman to answer the question as to the disbursing clerk of the Department of Commerce and Labor.

Mr. BINGHAM. I will say to the gentleman—and I am looking at the record of this bill, and the gentleman can find it in the report—the disbursing officer pays out two and one quarter millions of dollars in this bill, and upwards of \$4,000,000 to come in under the sundry civil bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia.

The question was taken and the amendment was rejected.

The Clerk read as follows:

For the compensation and expenses of a specialist or specialists, to be selected and appointed by the Secretary of Commerce and Labor, to make investigations regarding the manner of conducting the public business in the various bureaus, offices, and services of the Department of Commerce and Labor, with the object of securing more uniform, economical, and businesslike methods of administration, \$10,000.

Mr. PERKINS. Mr. Chairman, I make the point of order against the provision in lines 14 to 21, page 138, that it appropriates money not authorized by existing law.

Mr. MANN. Will not the gentleman reserve his point of order?

Mr. PERKINS. I make the point of order, but I am willing to reserve it if the gentleman from Illinois wishes it.

Mr. BINGHAM. Mr. Chairman, in the original proposition coming from the Secretary of the Department of Commerce and Labor was a paragraph wherein he asked for \$100,000, that he might develop our foreign commerce as well as the domestic

commerce, and under which he would make his own selection of the body of subordinate force that would travel not only at home but abroad for the purpose of developing the commerce at home and the commerce abroad. Coupled with that was a paragraph substantially as we have given in the bill, that he desired to reorganize or make a readjustment in his own Department, in order that he might feel that he was administering his office upon intelligent lines as well as lines of economy. Your committee was familiar with the fact of legislation that some years ago what is called the "Dockery Commission," at an expense of some \$30,000, made an investigation of the accounting system of the Government, and after that investigation their recommendations were embodied into law as a basis for future action. I wish to say to the gentleman who makes the point of order that the committee reduced the appropriation requested of \$100,000 to \$10,000, as a limitation, that specialists might be selected by him to take up the question of reorganization of his Department, independent of what might be called the influences of the subordinate force or of any force in the Department of Commerce and Labor. He wanted more than this bill gives him, but we felt that we were within economical lines.

Now, this Department officer, coming into a new creation that embodies an expenditure of six or seven million dollars annually, with every probability of a large increase in the future, makes a request of Congress that he should have a limited sum to try and adjust his Department on such lines as will embody its future administration in economy and wisdom, and your committee takes the \$100,000 requested by that Department officer and cuts it down to \$10,000, and gives him that sum that he may adjust the lines of his Department for future good work. While, of course, this is new legislation and subject to a point of order, I submit to the gentleman from New York that he ought not to press it.

Mr. WANGER. Will my colleague permit a question?

Mr. BINGHAM. Certainly.

Mr. WANGER. Did the Secretary subdivide the estimate of \$100,000, stating how much he desired for the employment of special agents for the promotion of our commerce and how much he desired for the experts to examine the methods of conducting business abroad?

Mr. BINGHAM. As I have stated, the original paragraph was \$100,000 for special agents for the promotion of foreign and domestic commerce, and that he should have the right of selection of that subordinate force. In the same paragraph was this provision, which is a part of this bill, the wording of the bill being a part of his proposition for specialists to aid in the reorganization of his Department. In consultation with him he said that he desired \$25,000. One of the gentlemen of the committee went to him and informed him of the general disposition of the committee not to give him \$100,000, which he then asked, but that we might give him the specialists for the service. We have given him \$10,000. It is tentative. He may come in next year and ask for more. The Dockery Commission, my recollection is, started at \$10,000, and so impressed was Congress that the Commission went on and finally gave us the reorganized bookkeeping of the service of to-day, which is always spoken of as the result of the work of the Dockery Commission. Now, the officer appointed to this office asks Congress, under the recommendation of your committee, to give him \$10,000 virtually to get information for himself in his own administration that he may wisely administer his office.

Mr. WANGER. Do I understand, then, that the Secretary regarded the item that has been reported as of more importance than that part of his estimate for which no appropriation has been made?

Mr. BINGHAM. I can not answer that question directly, but I can say that the Secretary was fully informed as to the policy of the committee with reference to his request for \$100,000 and was asked how much of this hundred thousand dollars would be required for these specialists, and we have given him \$10,000. That hundred-thousand-dollar estimate is cut down to \$10,000 in this bill.

Mr. WANGER. Mr. Chairman, under the statement of my colleague it is very clear that by far the larger part of the appropriation asked for by the Secretary—to wit, \$100,000—was for the employment of special agents to study trade conditions in order that the commerce of the country might be promoted. I understand that one of the purposes for which these agents were desired was to develop or establish what might be regarded as the particular province and function of the Bureau of Manufactures. I recall that when the bill establishing this Department was under consideration very fond hopes were entertained of the usefulness of the Bureau of Manufactures. It has been a disappointment to very many of the manufacturers of the country that that Bureau has not been organized. It will

be a further disappointment and a surprise to them that no provision is made for that Bureau in this bill, save and except for the Chief of the Bureau. As I understand it, the bill makes no provision for any clerk or any office force whatever—simply reports the annual salary of the Chief of the Bureau. Therefore I share in the disappointment, having supposed that a bureau of manufactures would be a very important division in the Department of Commerce and Labor and of great value to the producers of the country. And with all respect to the committee in acting upon the recommendation of the Secretary in this instance, it seems to me they have entirely ignored so much of his request as involves any meat and have simply made an appropriation for the dry bones of the recommendation. I assume that \$10,000 is abundant for the purpose, considering the business methods of the Department. I am very sorry that the other phase of the question has not been fully reported upon by the committee and that provision has not been made for the effective and useful operation of the Bureau of Manufactures. [Applause.]

Mr. LITTAUER. Mr. Chairman, no estimate was submitted for clerical force of the Bureau of Manufactures.

Mr. MANN. Oh, yes.

Mr. WANGER. Oh, my friend from New York is entirely mistaken.

Mr. LITTAUER. Except for the Chief of Bureau in this bill.

Mr. MANN. There was an estimate.

Mr. WANGER. If the gentleman from New York will refer to page 112—

Mr. LITTAUER. Except for the Chief of Bureau.

Mr. WANGER. Page 112 of the Book of Estimates will disclose to the gentleman these estimates:

Chief of Bureau; Chief clerk; one clerk of class 4; one clerk of class 3; one clerk of class 2; one clerk of class 1; one clerk, \$1,000; one clerk, \$900; one messenger, \$840.

Mr. LITTAUER. That is the existing law, and they were re-estimated for this year by the Department; but the Secretary of the Department advised us that while some of these clerks had been appointed they had been detailed to other bureaus of the Department, and there had as yet been no organization of the Bureau of Manufactures—in fact, that the Department of Commerce and Labor has not yet devised any scheme to carry out the purposes of that Bureau.

Mr. MANN. May I ask the gentleman a question as to whether it would be possible to organize the Bureau without clerical help?

Mr. LITTAUER. It would not; but it seems that the clerical help appropriated for last year was used for utterly different purposes and consequently your committee felt it would be well for the Department to determine what sort of work they were going to do before we could properly say whether they needed three clerks or six clerks or sixteen clerks to carry out their purpose.

Mr. MANN. That is a pretty good answer.

Mr. LITTAUER. Now, as to the other provisions to which the gentleman referred, which have been submitted by the Secretary of the Department—that is, a provision granting him a large sum of money in order that he might engage specialists to travel over the world and determine how our commerce could be developed in one quarter or another. I am sure the House will bear in mind that the consular service in part is now at work for the Department of Commerce and Labor; that their reports are all brought to the Department of Commerce and Labor, and we felt that the proposed additional force would simply be supplementary of the work that the consular service ought to carry out. We look forward to reforms in that direction and not to duplication. I trust, Mr. Chairman, that my colleague will not insist upon his point of order. The provision that we have submitted to the House here is for an entirely different purpose.

It is to make investigation regarding the manner and conduct of public business in the various bureaus, offices, and services of the Department of Commerce and Labor. You all know that this Department is not only new, but it is a composite Department. Part of its bureaus came from the Treasury, part from the State Department, some of them from independent services. The methods of doing business in some of them were not acceptable to the Secretary, and, moreover, just lately, after the terrible disaster to the steamer *Slocum* in New York, a commission had to be appointed to investigate that disaster. There was no fund from which to pay that commission. Practically very able men were selected from those already in the Government service and detailed to that work. Now, it is the purpose of the Secretary to have a modest sum like this \$10,000—in fact, he wanted \$25,000—in order that he may make uniform the work of his Department, make diligent inquiry into the methods of work, with a view of simplifying and making uniform the work of the

different bureaus and investigate what was doing and how they are carrying out their purposes.

Mr. MANN. Mr. Chairman, I wish to address myself particularly to the gentleman from New York, who reserves the point of order. The gentleman will remember that I made the report to the House of the bill creating the Department of Commerce and Labor. To that Department there were transferred the Bureau of Statistics from the Treasury Department, the Bureau of Labor (an independent bureau), the Bureau of the Census from the Interior Department, and the Bureau of Foreign Commerce from the State Department. Everybody in Congress had understood perfectly well that there were constant duplications of statistical information; that in some places the Bureau of Statistics and the Bureau of the Census and the Bureau of Labor were all collecting and compiling the same information. It was the expectation of Congress in creating the Department of Commerce and Labor and in consolidating the various bureaus of the Government engaged in the collection of statistics that these bureaus when collated in one Department would be harmonious, so that they would not duplicate their work. Now, it is an impossibility for the Secretary of Commerce and Labor, through the information which he had at his command, without the services of specialists, to be able to harmonize these various bureaus and eliminate the unnecessary work now performed by some of the different bureaus. It was the intention of the last Secretary of Commerce and Labor to endeavor to do this work through the aid of some board which might be authorized by Congress. The new Secretary, one of our own members until he was appointed there, is giving his best efforts to reduce this duplication, but it will be an impossibility for him or for any other officer of the Government to do this without the aid of some specialists who may be permitted to examine into the subject in its different phases and examine the methods followed by the different bureaus. It is not practicable to rely wholly upon the Director of the Census or the Commissioner of Statistics or the Chief of the Bureau of Labor for them to harmonize, and if it were practicable they have other services to perform; and I hope that the gentleman, who is always, I know, in favor of economy—proper economy—will permit the economy which will come in this Department by doing away now with thousands of dollars spent in duplication of statistics entirely unnecessary, but which will be continued unless the Secretary is authorized, through the aid of these specialists, to harmonize the collection of statistics.

Mr. PERKINS. Mr. Chairman, I wish to speak one word in seeming to put my judgment against that of the Committee on Appropriations. In the last Congress an additional department was created. Some of us questioned then the value that it might prove to be. What practical advantage has resulted since then I do not intend now to say, but it certainly has resulted in a very large increase of expense. This bill carries appropriations for the various branches of the Department of Labor and Commerce of at least seven or eight hundred thousand dollars. Now, we are told, the gentleman from Illinois says, that in this great Department, the result of whose labors thus far has not been altogether clear, there can not be found the time or intelligence to properly organize that Department. We are told that when we are paying over half a million dollars of salaries to secretaries, to assistants, and clerks of every variety, it is necessary to hire at an expense of \$10,000, specialists. To tell them what?

To make investigations regarding the manner of conducting the public business in the various bureaus, offices, and services of the Department of Commerce and Labor, with the object of securing more uniform, economical, and businesslike methods of administration.

Mr. Chairman, I am not thoroughly a believer in those specialists who have to be called in to reorganize any branch of business, and it is strange that in the Department of Commerce there can not be found sufficient intelligence to say how that office should be run, without hiring specialists at an expense of \$10,000 this year, and Heaven knows how many thousands of dollars some other year.

Mr. LITTAUER. May I ask a question?

Mr. PERKINS. Certainly.

Mr. LIVINGSTON. I submit the point of order that debate is exhausted.

The CHAIRMAN. The question of order has not been discussed at all.

Mr. PERKINS. I stated, Mr. Chairman, that this is new legislation, and I have heard no one question the point of order.

Mr. LITTAUER. I would like to ask my colleague this question: Do you not think it would be well to have a specialist come in, independent of any influences that surround such De-

partments, and bring about the result that this Department desires to achieve?

Mr. PERKINS. Is it possible that the head of a Department can not regulate his Department without being subject to special influences? I should be sorry to believe that.

Mr. GILLET of Massachusetts. Has the gentleman taken into consideration the fact that this Department consists of several bureaus—the Census Bureau, the Bureau of Labor, the Bureau of Statistics? As I understand, one of the purposes is to consider whether these various bureaus can not be consolidated and brought into one. To do that requires a good deal of close investigation.

Mr. PERKINS. I can not believe that the officer in charge of this Department can not find some competent persons in his Department without its being necessary to hire a specialist.

The CHAIRMAN. The Chair understands it is conceded that this is new legislation, and therefore sustains the point of order.

Mr. BINGHAM. I have here a committee amendment, which is merely to correct the totals.

The Clerk read as follows:

On page 138, in line 13, strike out "fifty-eight thousand six hundred and eighty" and insert "fifty-seven thousand six hundred and sixty."

The CHAIRMAN. Without objection, the amendment will be considered as agreed to.

There was no objection.

The Clerk read as follows:

For compensation and per diem, to be fixed by the Secretary of Commerce and Labor, of special attorneys, special examiners, and special agents, for the purpose of carrying on the work of said bureau as provided by the act approved February 14, 1903, entitled "An act to establish the Department of Commerce and Labor," the per diem to be subject to such rules and regulations as the Secretary of Commerce and Labor may prescribe in lieu of subsistence, at a rate not exceeding \$4 per day, to each of said special attorneys, special examiners, and special agents, and also of other officers and employees in the Bureau of Corporations, while absent from their homes on duty outside of the District of Columbia, and for their actual necessary traveling expenses, including necessary sleeping-car fares; in all, \$100,000.

Mr. BAKER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. BAKER. Mr. Chairman, this paragraph appropriates the enormous sum of \$4 a day for special attorneys, special examiners, and special agents of the Bureau of Corporations of the Department of Commerce and Labor. Presumably these men are to investigate those combinations of capital to which reference has been occasionally made on the floor of this House.

Mr. LITTAUER. Will the gentleman point out where these four-dollar-a-day men are provided for?

Mr. BAKER. "In lieu of subsistence." Is this additional to their salaries?

Mr. LITTAUER. It reads here:

The per diem to be subject to such rules and regulations as the Secretary of Commerce and Labor may prescribe in lieu of subsistence, at a rate not exceeding \$4 per day.

Mr. BAKER. Now, I will ask the chairman of the Appropriations Committee what is the recompense of these men? What character of men are they who are to make this investigation?

Mr. BINGHAM. That is purely discretionary, I would say, in the Secretary as to selection; and as a matter of fact we give the Bureau of Corporations less than the current law.

Mr. BAKER. My complaint is not—

Mr. BINGHAM. We have made available all we think they could call for. There is no intent to keep them from undertaking any proceedings that might come before them within the limitations of current law, and no abridgment of the Bureau of Corporations in that law under the Department of Commerce and Labor. If the gentleman desires to increase—

Mr. BAKER. My complaint is not that too much money is appropriated, but that no apparent use is made of the money. Here is this Department of Commerce and Labor, created very largely because of a public sentiment, yes, a public demand, that there should be an investigation of what have come to be known as "trusts," and what is the result? Absolutely nothing!

Now, I am assured from information that has come to me from men in the Department that an investigation has been made in the case of one corporation, and the books are kept in such a manner that the man can not tell whether the corporation made \$100,000,000 or \$1,000,000. Presumably the man was not a competent man.

Mr. BINGHAM. If the gentleman will permit me, I think it was the gentleman from Georgia that offered an amendment to this bill giving \$500,000 appropriation to this Department for the investigation of what are called "trust" corporations. A

year ago that appropriation was transferred by the action of the House from this bill to the sundry civil bill, and this bill has no longer any relation with that large appropriation of half a million dollars to go into perhaps a very complete investigation. If the gentleman desires to know, I would state that this is simply an appropriation for what is called the "Bureau of Corporations," and for the subordinate force as well as for their judicial department.

Mr. BAKER. I hope this is not to come out of my time, Mr. Chairman.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BINGHAM. I ask unanimous consent that the gentleman may have five minutes.

There was no objection.

Mr. BAKER. Now, Mr. Chairman, it certainly seems to me, from the lack of result, that one of two things exists—either a lack of competency on the part of the men detailed by the Bureau of Corporations of the Department of Commerce and Labor or else a lack of intent on the part of the Secretary to get at the facts. Here is a notorious fact that every person in the country knows—that the Steel Rail Association exists. I introduced a resolution into this House. It was referred to the Judiciary Committee, and that committee, I understand, is going to report that resolution back with the recommendation that it lie on the table, on the ground that it is a mere rumor. A mere "rumor," forsooth! Certainly the most substantial rumor in this country. A rumor so strenuous, so strong, so powerful, that it can take the American people by the throat and exact tribute of \$30,000,000. [Applause on the Democratic side.] This is known to everybody; and yet you gentlemen, through the majority of your Judiciary Committee, say that the Steel Rail Association is a rumor. Why, even the gentleman, my friend from Pennsylvania, who represents Harrisburg in this House [Mr. OLMSTED], has probably heard of this Steel Rail Association, that little combination—

Mr. OLMSTED. I have heard the gentleman mention it.

Mr. BAKER. I am not surprised that such ignorance is displayed, when we see 500,000 plurality from his State for a man who is supposed to be a "trust buster." The ignorance of the people of Pennsylvania is almost equal to that which has been displayed here.

Mr. OLMSTED. Your State did pretty well. [Laughter.]

Mr. BAKER. Yes; I am frank enough to say that the State did very well; but I am also frank enough to say that the State would not, in my judgment, have done half so well if it had not been that the men on this side listened to the siren song of those monopolists that were running the campaign for the gentleman you refer to. [Laughter and applause on the Republican side.] I hope this will not come out of my time, Mr. Chairman. I wanted to say a few words about this combination—the Steel Rail Association.

Well, we are told that it is a mere rumor that the Steel Rail Association exists. Presumably the Department of Commerce and Labor is almost as ignorant of the existence of the Steel Rail Association as is my friend from Pennsylvania. Yet that association meets regularly; they do not even meet in secret. They make no pretense of covering up their actions, and at the end of their meetings they give out statements to the newspapers; and yet we are told by the Republicans that that little combination is a mere "rumor." How effective the "rumor" is is shown when through a combination of the United States Steel Corporation, the Lackawanna Steel Company, the Maryland Steel Company, and one or two others—minor corporations—they are able to take full advantage, which otherwise they could not do, of the duty of \$7.84 a ton upon steel rails, so that they are charging the American consumers of steel rails \$28 a ton when upon the testimony of the greatest expert upon steel manufacture in the world (according to the United States Steel Corporation itself), Mr. Charles M. Schwab, it only costs \$12 a ton to manufacture them in Pittsburgh, so that there is a profit of \$16 a ton or 133 per cent profit upon the actual cost of production; and yet not a Republican, not even the Bureau of Corporations of the Department of Commerce and Labor, which was specially brought into existence to find out if there are any trusts, any combinations in restraint of trade, not one member of the Administration, not a Republican in this House, not even the Secretary of Commerce and Labor, has heard of that combination at all.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BAKER. I expected it. [Laughter.]

The Clerk read as follows:

Bureau of Manufactures: Chief of Bureau of Manufactures, \$4,000.

Mr. MADDUX. Mr. Chairman, I move to strike out that paragraph. I see from this report of the committee that a reduction has been made in that bureau of so many clerks. In fact, I am informed that there is no such bureau except the chief; that all of the clerks and the officials of that special bureau have been taken from him. Now, I would like to know what this chief is doing and why we are appropriating \$4,000 to a man to do nothing. Is it true?

Mr. BINGHAM. I would state to the gentleman that we have continued this, as I may say, pro forma in the bill.

Mr. MADDUX. Because it was the law?

Mr. BINGHAM. The submission made by the Secretary of Commerce and Labor was to the effect that he had not yet organized the bureau. We therefore struck out all the subordinate force and left the creation of the bureau to be a matter for the future under the law. There has been no chief of the Bureau of Manufactures appointed.

Mr. MADDUX. There is none?

Mr. BINGHAM. There is none appointed. It is simply a verbiage contained in the law for the original organization of the Department. The gentleman has a right to strike it out.

Mr. MADDUX. I move to strike it out. If there is no chief appointed, there is no necessity for the appropriation.

Mr. BINGHAM. It leaves it there, so that it may, when the time comes, be used as the basis of a report to Congress. So far as this Congress is concerned, the Department has never filled the place, and your committee have stricken from the Book of Estimates all the recommendations of the Secretary for a subordinate force.

Mr. MADDUX. Now I understand, Mr. Chairman, that there is no chief of the Bureau?

Mr. BINGHAM. I do not want to be misunderstood. The Secretary in nowise wants this, except that it may be used in the future. He says that up to to-day he has not been able to organize that Bureau to his satisfaction. It does no harm to be there; there is no money appropriated by Congress for him.

Mr. MADDUX. You are appropriating now, and that is what I am objecting to.

Mr. GILLET of Massachusetts. We may need it next year; we had it last year, but he did not use it. Why not give it to him and let him organize it when he gets ready?

Mr. MADDUX. If there was any necessity for it I would not object to it; if anybody's interest is to be advanced by it I would not object. But I am told that we have no chief of the Bureau. You have, according to your report, abolished the whole business; now, why not carry it out? I move to strike it out.

Mr. LIVINGSTON. The Department of Commerce and Labor is not itself thoroughly organized. It is a new Department, created a short time ago, and this is one bureau in the Department that they have not yet organized. They may do so in a month, they may do so in six months, and they may not do it for six years. We have left the salary of the chief of the division there so that when the Secretary takes it up for the purpose of organization he has got a starting point upon which he can build.

Mr. MADDUX. Mr. Chairman, in reply to that I want to call the attention of the House to this report. It says:

Bureau of Manufactures.—A reduction is made of one chief clerk at \$2,000, one clerk at \$1,800, one clerk at \$1,400, one clerk at \$1,200, one clerk at \$1,000, one clerk at \$900, one messenger at \$840, one assistant messenger at \$720, one messenger boy at \$480, and two laborers at \$660 each.

Now, the committee comes here and annihilates this bureau, and these men that I speak of are detailed on some other work or discharged—although I never heard of one being discharged.

Mr. LITTAUER. Let me say to the gentleman that there were only two of these clerks appointed last year. They were detailed to the Secretary's office, one clerk of the fourth class and one of the second class, and two laborers.

Mr. MADDUX. I would like to understand why you come in, then, and tell us that you have made the reduction that I have read, if there were only four clerks there. How can you reduce a thing that does not exist?

Mr. LITTAUER. Our reduction was of the appropriation and not the expenditure of money. There is a reduction of appropriation. The gentleman will find that in many Departments not all the clerks provided or appropriated for are used or appointed.

The CHAIRMAN. Does the gentleman from Georgia insist on his amendment?

Mr. MADDUX. Yes; I move to strike it out.

The question was taken; and on a division (demanded by Mr. MADDUX) there were—ayes 19, noes 65.

So the amendment was rejected.

The Clerk read as follows:

The Census Office: For Director, \$6,000; four chief statisticians, at \$2,500 each; chief clerk, \$2,500; disbursing and appointment clerk, \$2,500; geographer, \$2,000; stenographer, \$1,500; eight expert chiefs of division, at \$2,000 each; four clerks of class 4; seven clerks of class 3; sixteen clerks of class 2; three hundred clerks of class 1; two hundred and twenty-five clerks, at \$1,000 each; thirty clerks, at \$900 each; expert map mounter, \$1,000; engineer, \$1,000; electrician, \$1,000; two skilled laborers, at \$1,000 each; five skilled laborers, at \$900 each; ten watchmen; six messengers; two firemen; ten assistant messengers.

Mr. SNOOK. Mr. Chairman, I move to amend by striking out the word "six," in line 9, page 142, and insert in place thereof the word "five."

The Clerk read the amendment, as follows:

On page 142, line 9, strike out the word "six" and insert in lieu thereof the word "five."

Mr. SNOOK. Now, Mr. Chairman, this is the same amendment that was offered to this appropriation bill at the last session of Congress by my colleague, Mr. COWHERD. At that time there was quite an extended discussion on the merits of this amendment before the House. This afternoon the attention of the House has been called to a number of items of inequalities in the salaries paid to the different officials provided for in this bill. About all I desire to do is to call the attention of the House to the inequality of the salary of this official as compared with that of other officials provided for in this appropriation bill. Take the heads of the different bureaus provided for in this Department of Commerce and Labor. The head of the Bureau of Corporations is to receive a salary of only \$5,000. This is perhaps the most important bureau provided for in the whole range of governmental affairs, and yet he receives only \$5,000. The head of the Bureau of Labor, one of the most important bureaus under the Government, receives only \$5,000. As was pointed out by my colleague a year ago, the Assistant Postmasters-General, the first, second, third, and fourth, although they disburse very large sums of money and have a most important place, receive only \$4,500. The Assistant Attorney-General, a most important officer, receives \$5,000. Why it should be thought that out of the whole list of officials this single man should be singled out to receive \$6,000 I have never been able to see. It seems to me if the committee is desirous of making the salaries of the different officials equal, and are eager to raise the point of order when somebody undertakes to make the equality by raising a salary for the small sum of \$250, the great Appropriations Committee ought to be willing to reduce the salary of this man from \$6,000 to \$5,000 and put it on the same basis of other heads of Departments. [Applause.]

Mr. BINGHAM. Mr. Chairman, the original compensation for the Director of the Census, as the gentleman from Ohio [Mr. Snook] will doubtless remember, was \$7,500.

Mr. SNOOK. Mr. Chairman, I will say that at the time the salary was reduced from \$7,500 to \$6,000 there were a great many Members on the floor of the House who wanted it reduced to \$5,000.

Mr. BINGHAM. It was reduced to the present figure of \$6,000. Without going into any details of the work done—the value of the work done—I desire to remind the committee, as well as the gentleman from Ohio [Mr. Snook], that twice in this very House at the last session of this Congress the proposition came before the House to reduce this salary to \$5,000, in a vote on two occasions on an amendment proposed by the gentleman from Missouri [Mr. Cowherd]. The House at that time determined that there should not be any reduction and that the law should remain as it was fixed in the bill. We have since followed that law.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken; and, on a division, demanded by Mr. SNOOK, there were—ayes 19, noes 59.

So the amendment was rejected.

The Clerk read as follows:

Bureau of Navigation: For Commissioner of Navigation, \$4,000; two clerks of class 4; additional to one clerk designated as deputy commissioner, \$600; clerk to Commissioner, \$1,600; one clerk of class 3; two clerks of class 2; four clerks of class 1; nine clerks, at \$900 each; one assistant messenger, and one laborer; in all, \$28,480.

Mr. MADDOX. Mr. Chairman, I make the point of order to lines 18 and 19, page 145, which provide for a Commissioner of Navigation, at a salary of \$4,000. As I understand it the existing law is that his salary is \$3,600, and this raises it to \$4,000.

Mr. LITTAUER. Mr. Chairman, in the law creating this bureau it is provided that he shall receive a salary of \$4,000 per annum. Congress in the past has not appropriated as much as the law called for.

Mr. MADDOX. Do I understand the gentleman to say that that is the law?

Mr. LITTAUER. Yes.

Mr. MADDOX. My information is that it was \$3,600.

Mr. LITTAUER. The law is that it shall be \$4,000.

Mr. MADDOX. If that is true, I withdraw the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. No part of any money appropriated by this act shall be used for purchasing, maintaining, driving, or operating any carriage or vehicle (other than those specifically authorized and named for personal purposes in section 2 of the legislative, executive, and judicial appropriation act for the fiscal year 1905, and other than those used for transportation of property belonging to or in the custody of the United States), for the official use of any officer or employee of any of the Executive Departments or other Government establishments, at Washington, D. C., unless the same shall be specifically authorized by law or provided for in terms by appropriation of money, and all such carriages and vehicles so procured and used for official purposes shall have conspicuously painted thereon at all times the full name of the Executive Department or other branch of the public service to which the same belong and in the service of which the same are used.

Mr. BINGHAM. Mr. Chairman, I offer the following committee amendment to make a change of one word, a misprint, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 155, in line 10, strike out the word "two" and insert in lieu thereof the word "three," so that it will read "in section three."

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection.

The Clerk then concluded the reading of the bill.

Mr. BINGHAM. Mr. Chairman, there is one paragraph of the bill which one gentleman asked to have passed over without prejudice. As I understand it he now withdraws that request, and I ask for the reading of the paragraph and its approval.

The CHAIRMAN. The Clerk will read the paragraph.

The Clerk read as follows:

Office of Auditor for Interior Department: For auditor, \$4,000; deputy auditor, \$2,500; law clerk, \$2,000; three chiefs of division, at \$2,000 each; nine clerks of class 4; sixteen clerks of class 3; twenty-eight clerks of class 2; twenty-eight clerks of class 1; sixteen clerks, at \$1,000 each; fourteen clerks, at \$900 each; one assistant messenger; four skilled laborers, at \$720 each; six laborers; and one female laborer, \$600; in all, \$165,860.

Mr. BINGHAM. Mr. Chairman, I move that the committee do now rise and report the bill and amendments to the House, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DALZIEL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15895), the legislative, judicial, and executive appropriation bill, and had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be adopted, and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. BINGHAM. Mr. Speaker, I ask concurrence in all of the amendments to the bill, with the exception of those on page 20, line 24, stenographers to committees, and upon that I ask a separate vote.

The SPEAKER. Is there any other amendment on which vote is asked? If not, a vote will be taken on the amendments en bloc, excepting the one designated.

The question was taken, and the amendments were agreed to.

The SPEAKER. The Clerk will report the other amendments.

The Clerk read as follows:

On page 20, line 25, strike out the word "five" and insert in lieu thereof the word "three;" and on page 21, line 2, strike out the word "twenty-one" and insert in lieu thereof the word "thirteen;" so as to read "for four stenographers to committees, at \$3,000 each; assistant stenographer to committees, \$1,600; in all, \$13,600."

The SPEAKER. The question is on agreeing to the amendments.

The question was taken; and upon a division (demanded by Mr. CRUMPACKER) there were—ayes 45, noes 63.

So the amendments were rejected.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, was read the third time, and passed.

On motion of Mr. BINGHAM, a motion to reconsider the vote by which the bill as amended was passed was laid on the table.

REPORT ON IMPEACHMENT OF JUDGE SWAYNE.

Mr. PALMER. Mr. Speaker, I ask leave to make a privileged report in the case of the Hon. Charles Swayne, judge of the northern district of Florida, submitted by the Judiciary Committee.

The SPEAKER. The gentleman from Pennsylvania makes the following privileged report, the title of which the Clerk will report.

The Clerk read as follows:

Report in the matter of the impeachment of Charles Swayne, judge of the United States in the northern district of Florida.

The SPEAKER. The report will be referred to the House Calendar, and ordered to be printed.

ADJOURNMENT UNTIL MONDAY.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from New York moves that when the House adjourns to-day that it adjourn to meet on Monday next.

The question was taken, and the motion was agreed to.

REPRINT OF SENATE BILL.

Mr. BELL of California. Mr. Speaker, I ask unanimous consent for a reprint of Senate bill 2114.

The SPEAKER. The gentleman from California asks unanimous consent for a reprint of the bill the title of which the Clerk will report.

The Clerk read as follows:

Senate bill 2114, to fix the rank of certain officers in the Army.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PARKER. On the privileged report just handed in some of us desire to file minority views. I ask, therefore, leave until Monday to file their views.

The SPEAKER. The gentleman from New Jersey asks if there be minority reports on this subject that the Judiciary Committee may have leave until Monday next to file same. Is there objection? [After a pause.] The Chair hears no objection.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned to meet on Monday next at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, submitting an estimate of appropriation for additional clerks in the office of the assistant treasurer of the United States at Baltimore—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for repairs to Washington Monument—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of Commerce and Labor, transmitting a report of the expenditures of the Bureau of Fisheries—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an explanation of estimates of appropriations for foreign intercourse—to the Committee on Appropriations, and ordered to be printed.

A letter from the Doorkeeper of the House, transmitting an inventory of books, maps, and pamphlets in his department November 1, 1904—to the Committee on Accounts, and ordered to be printed.

A letter from the president of the Board of Managers of the National Home for Disabled Volunteer Soldiers, transmitting the resignation of Col. George W. Steele as a member of the board—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting an estimate of appropriation for appliances for the post-office at Chicago—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MORRELL, from the Committee on the District of Columbia, to which was referred the joint resolution (H. J. Res.

160) granting the temporary occupancy of a part of the Government reservation in Washington, D. C., for the American Railway Appliance Exhibition, reported the same with amendment, accompanied by a report (No. 3017); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 15606) to authorize the county of Itawamba, in the State of Mississippi, to construct a bridge across the Tombigbee River, near the town of Fulton, in the said county and State, reported the same with amendment, accompanied by a report (No. 3018); which said bill and report were referred to the House Calendar.

Mr. BURTON, from the Committee on Rivers and Harbors, to which was referred the bill of the House (H. R. 15590) to amend an act approved April 26, 1904, entitled "An act to enable the Secretary of War to permit the erection of a lock and dam in aid of navigation in the Tennessee River near Chattanooga, Tenn., and for other purposes," reported the same with amendment, accompanied by a report (No. 3019); which said bill and report were referred to the House Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XII Mr. JENKINS, from the Committee on the Judiciary, to which was referred the House resolution (H. Res. 383) concerning steel-manufacturing companies, reported the same adversely, accompanied by a report (No. 3020); which said bill and report were ordered laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 3840) granting an increase of pension to Lucy F. Baldwin—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15796) granting certain property to the county of Gloucester, N. J.—Committee on Military Affairs discharged, and referred to the Committee on the Public Lands.

A bill (H. R. 6920) granting a pension to Susan E. Weaver—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 15738) granting an increase of pension to Maggie D. Russ—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BROWNLOW: A bill (H. R. 16181) to provide for an additional judge of the district court of the United States for the middle and eastern districts of Tennessee, and for other purposes—to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: A bill (H. R. 16182) providing for the appeal of one case from the citizenship court of the Indian Territory to the Supreme Court of the United States—to the Committee on the Judiciary.

By Mr. BROOKS: A bill (H. R. 16183) to amend the homestead laws as to certain unappropriated and unreserved lands within the State of Colorado—to the Committee on the Public Lands.

By Mr. HEDGE: A bill (H. R. 16184) granting an appropriation for the enlargement of the public building at Burlington, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. GILLET of California: A bill (H. R. 16185) to provide for the survey and deepening of a channel in Humboldt Bay, California—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 16186) to provide for the survey of the harbor at Crescent City, Cal.—to the Committee on Rivers and Harbors.

By Mr. COWHERD: A bill (H. R. 16187) for the extension of Nineteenth street from Woodley road to Mintwood place—to the Committee on the District of Columbia.

By Mr. SHERLEY: A bill (H. R. 16188) authorizing the exportation of certain articles to Porto Rico without the payment of internal-revenue tax—to the Committee on Ways and Means.

By Mr. ROBINSON of Arkansas: A bill (H. R. 16189) providing for the maintenance of the channel of the Arkansas River at Pine Bluff, Ark., and for the repair of dikes and revetment work at said place—to the Committee on Rivers and Harbors.

By Mr. LILLEY: A bill (H. R. 16190) to admit wood free of duty—to the Committee on Ways and Means.

By Mr. RODENBERG: A bill (H. R. 16191) for the erection of a Federal building for the United States courts and other Government offices at East St. Louis, Ill.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 16192) for the erection of a public building at Belleville, Ill.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 16193) to provide for the erection of a public building at Alton, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. GREENE: A resolution (H. Res. 390) relative to inquiry as to the most practicable method for transportation of documents to and from the Capitol and the Government Printing Office—to the Committee on Printing.

By Mr. HEPBURN: A resolution (H. Res. 391) providing for the consideration of H. R. 15254—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ADAMS of Pennsylvania: A bill (H. R. 16194) granting an increase of pension to James Gwyn—to the Committee on Invalid Pensions.

By Mr. BENNY: A bill (H. R. 16195) for the relief of John P. Fairchild—to the Committee on Naval Affairs.

By Mr. BINGHAM: A bill (H. R. 16196) for the relief of the owners of the steamship *Neuchwang*—to the Committee on Claims.

By Mr. BIRDSALL: A bill (H. R. 16197) granting an honorable discharge to Smith N. Vosseller—to the Committee on Military Affairs.

Also, a bill (H. R. 16198) to correct the muster roll of Company G, Sixteenth Iowa Infantry Volunteers—to the Committee on Military Affairs.

By Mr. BRADLEY: A bill (H. R. 16199) granting an increase of pension to Joseph McGuckian—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill (H. R. 16200) granting an increase of pension to Morton M. Noah—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16201) granting an increase of pension to Horace Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16202) granting an increase of pension to Galinus McCarty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16203) granting an increase of pension to George W. Mann—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 16204) granting a pension to Hannah McAdams—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 16205) granting an increase of pension to James A. Roark—to the Committee on Invalid Pensions.

By Mr. DRESSER: A bill (H. R. 16206) granting an increase of pension to George Ulrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16207) granting an increase of pension to Lorenzo English—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16208) granting a pension to Arabella M. Marks—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 16209) granting a pension to Anna McQuillin—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 16210) to correct the military record of Joseph A. Blanchard—to the Committee on Military Affairs.

By Mr. GARDNER of Michigan: A bill (H. R. 16211) granting a pension to Melvin T. Edmonds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16212) granting an increase of pension to Mathias R. Zahniser—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 16213) for the relief of George Davidson—to the Committee on Military Affairs.

By Mr. GIBSON: A bill (H. R. 16214) granting an increase of pension to Gilbert Ford—to the Committee on Invalid Pensions.

By Mr. GILLETT of California: A bill (H. R. 16215) granting an increase of pension to Fitz Allen Gourley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16216) granting an increase of pension to Philo G. Tuttle—to the Committee on Invalid Pensions.

By Mr. GILLETT of Massachusetts: A bill (H. R. 16217)

granting an increase of pension to S. C. Chamberlain—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 16218) granting a pension to Rush G. Leaming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16219) granting a pension to John W. Chewing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16220) granting a pension to Rufus Gosnell—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 16221) for the relief of William Ryan, late of Company M, First Illinois Light Infantry—to the Committee on Military Affairs.

By Mr. HITCHCOCK: A bill (H. R. 16222) granting an increase of pension to Elias W. Ticknor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16223) to correct the military record of Josiah S. Wright—to the Committee on Military Affairs.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 16224) for the relief of Mrs. Emily Miller—to the Committee on War Claims.

By Mr. LACEY: A bill (H. R. 16225) granting an increase of pension to John Bokart—to the Committee on Invalid Pensions.

By Mr. FREDERICK LANDIS: A bill (H. R. 16226) granting an increase of pension to William W. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16227) for the relief of Harvey F. Woods—to the Committee on War Claims.

By Mr. LUCKING: A bill (H. R. 16228) to remove charge of desertion from military record of Joseph Trombley—to the Committee on Military Affairs.

Also, a bill (H. R. 16229) to remove the charge of desertion from the military record of Joseph Vallard—to the Committee on Military Affairs.

By Mr. LIND: A bill (H. R. 16230) granting a pension to Emma M. Rea—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16231) granting a pension to Anna Elizabeth Hull—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 16232) granting an increase of pension to Charles D. Jenkins—to the Committee on Invalid Pensions.

By Mr. McMORRAN: A bill (H. R. 16233) granting an increase of pension to Nelson Utley—to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 16234) granting an increase of pension to Benjamin H. Hartman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16235) granting an increase of pension to William W. Schooley—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 16236) for the relief of Salina E. Lauderdale—to the Committee on War Claims.

Also, a bill (H. R. 16237) for the relief of the estate of Simeon Houk—to the Committee on War Claims.

By Mr. ROBB: A bill (H. R. 16238) granting an increase of pension to David Hawkins—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: A bill (H. R. 16239) granting an increase of pension to Mary K. Roone—to the Committee on Pensions.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 16240) for the relief of heirs of Charles and Palmyra Barre, deceased—to the Committee on War Claims.

By Mr. SIBLEY: A bill (H. R. 16241) granting an increase of pension to Paul Stang—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16242) granting an increase of pension to Hiram T. Houghton—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 16243) for the relief of Eli Brown—to the Committee on War Claims.

Also, a bill (H. R. 16244) for the relief of the legal representatives of William Kendall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 16245) for the relief of the estate of R. D. Freeland, deceased—to the Committee on War Claims.

Also, a bill (H. R. 16246) for the relief of T. F. Allison—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 16247) to remove charge of desertion from the record of Jeremiah Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 16248) granting an increase of pension to Frank Gross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16249) granting a pension to Eliza J. Burch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16250) granting an increase of pension to Henry W. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16251) granting a pension to James I. Willoughby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16252) granting a pension to Mary A. H. Hartz—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 16253) granting an increase of pension to Samuel Murphy—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 16254) granting an increase of pension to Lydia R. Howard—to the Committee on Pensions.

Also, a bill (H. R. 16255) granting an increase of pension to Elam Skivers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16256) granting a pension to Elizabeth Debord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16257) granting a pension to Laura W. Brown—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 16258) granting a pension to Susan H. Chadsey—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 16259) granting an increase of pension to John Walz—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: A bill (H. R. 16260) granting an increase of pension to Frederick Hark—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 16261) granting a pension to Andrew T. Welman—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 16262) granting an increase of pension to Jacob Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16263) granting an increase of pension to Lewellyn Niles—to the Committee on Invalid Pensions.

By Mr. WEBBER: A bill (H. R. 16264) granting an increase of pension to Joseph H. Munnell—to the Committee on Invalid Pensions.

By Mr. WEEMS: A bill (H. R. 16265) granting a pension to Margaret Stevens—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 16266) to remove the charge of desertion from the record of Henry Beeger—to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 16267) granting an increase of pension to James F. Hubbard—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 16268) for the relief of S. D. Sprinkle—to the Committee on War Claims.

By Mr. PERKINS: A bill (H. R. 16269) to authorize the reappointment of Lewis C. Hamilton a second lieutenant in the Army and to place him on the retired list—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 16270) granting an increase of pension to Ransom D. Buzzell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16271) granting an increase of pension to Thomas McCabe—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 16272) granting an increase of pension to Isaac Montgomery—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 16273) granting an increase of pension to Reuben A. Miles—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the Vermilion County (Ill.) Woman's Christian Temperance Union, praying for an amendment of the pending bill relative to the admission of Oklahoma and Indian Territories—to the Committee on the Territories.

Also, memorial of the Independent Home Rule Party of Hawaii, praying for the appointment of commission to investigate the recent election in that Territory—to the Committee on Elections No. 2.

Also, papers to accompany bill H. R. 8719, for the relief of Moses B. Page, Company A, One hundred and sixteenth Illinois Infantry, of Paris, Ill., granting him an increase of pension—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: Papers in support of claim of Gen. James Gwyn for increase of pension—to the Committee on Invalid Pensions.

By Mr. BABCOCK: Papers to accompany bill H. R. 7878, granting an increase of pension to Richard Jones—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Papers to accompany bill H. R. 16033, for the relief of William H. Clark—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 5249, granting a pension to Charles H. Barrows—to the Committee on Invalid Pensions.

By Mr. BURKE: Petition of the Christian Endeavor Society

of South Dakota—Jessie S. Harris, president, and Pearl Stoner, secretary—favoring the establishment of a regular international peace congress—to the Committee on Foreign Affairs.

Also, petition of citizens of South Dakota, favoring enactment into law of bill H. R. 13778, known as the Hearst bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BURKETT: Papers to accompany House bill for the relief of Morton M. Noah by granting him a pension—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to George W. Mann—to the Committee on Invalid Pensions.

Also, papers in support of claim of John H. McKee, late a captain of Company A, One hundred and fifth Regiment Pennsylvania Veteran Volunteer Infantry, for special pension act—to the Committee on Invalid Pensions.

Also, resolution of the State Bankers' Association of Nebraska, in favor of repealing a clause in the national-currency act which limits the retirement of national-bank notes—to the Committee on Banking and Currency.

Also, resolution of the State Bankers' Association of Nebraska, favoring reform in the consular service—to the Committee on the Judiciary.

By Mr. BURLEIGH: Resolution of Bluehill and East Bluehill Grange, No. 52, Hancock County, Me., in favor of establishing a Bureau of Public Highways—to the Committee on Agriculture.

By Mr. DANIELS: Papers in support of the claim of Second Lieut. James A. Roark, Company F, Sixth Illinois Cavalry, granting him a pension—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of locomotive engineers, asking that engineers who served at the front during the civil war be placed on the eligible list to receive pensions—to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of Division No. 13, Brotherhood of Locomotive Engineers, of North Salem, Wis., requesting that engineers who served at the front during the civil war be placed on eligible list to receive pensions—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolution of the Ohio Valley Improvement Association, in relation to improvements of Ohio River—to the Committee on Rivers and Harbors.

Also, resolution of the Grand Camp, Arctic Brotherhood, in favor of representation for Alaska in Congress—to the Committee on the Territories.

By Mr. GARDNER of Michigan (by request): Petition of the Christian Endeavor Society of Hillsdale, Mich., favoring the establishment of an international peace congress—to the Committee on Foreign Affairs.

By Mr. GIBSON: Petition of Gilbert Ford, to accompany bill for his relief—to the Committee on Invalid Pensions.

By Mr. GILLET of Massachusetts: Petition of O. C. Fletcher and others, of Chicopee Falls, Hampden County, Mass., for a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. HAMILTON: Resolution of the Christian Endeavor Society of Dowagiac, Mich., favoring an international peace congress—to the Committee on Foreign Affairs.

By Mr. HINSHAW: Resolution of the Nebraska State Bankers' Association, favoring reform in the currency laws—to the Committee on Banking and Currency.

Also, resolution of the Nebraska Bankers' Association, favoring reform in consular service—to the Committee on Foreign Affairs.

By Mr. HULL: Petition of the Journeymen Stone Cutters' Association of Des Moines, Iowa, local branch, in favor of using Ohio sandstone in the new Federal building at Cleveland, Ohio, as per contract, instead of substituting granite—to the Committee on Public Buildings and Grounds.

By Mr. KNAPP: Resolution adopted by the Brotherhood of Locomotive Engineers during the War of the Rebellion, requesting that they be made eligible to receive pensions—to the Committee on Invalid Pensions.

By Mr. LITTAUER: Resolution of the Brotherhood of Locomotive Engineers, requesting that the engineers who served during the civil war be placed on the eligible list to receive pensions—to the Committee on Invalid Pensions.

By Mr. MANN: Petition of Chicago Board of Trade, favoring amendments to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. McCALL: Petition of citizens of Boston, Mass., in favor of the establishment of a regular international peace congress—to the Committee on Foreign Affairs.

By Mr. PORTER: Petition of the Interstate Commerce Law Convention, in favor of enlarging the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Ohio Valley Improvement Association, favoring the improvement of the Ohio River—to the Committee on Rivers and Harbors.

By Mr. RANDELL of Louisiana: Memorial from citizens of Ouachita Parish, La., relative to additional locks and dams in the Ouachita River—to the Committee on Rivers and Harbors.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill for the relief of Simeon Houk, deceased—to the Committee on War Claims.

Also, papers to accompany bill H. R. 4748, to authorize the Secretary of War to correct the record of Calhoun Malone—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 12673, granting a pension to Ira Davis—to the Committee on Invalid Pensions.

By Mr. ROBERTSON of Louisiana: Papers to accompany bill for the relief of heirs of Charles and Palmyra Barre—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Resolution of the Brotherhood of Locomotive Engineers, requesting that the engineers during the war of the rebellion be placed on the eligible list to receive pensions—to the Committee on Invalid Pensions.

Also, resolution of the Chamber of Commerce of Utica, N. Y., favoring the enactment of the Cooper-Quarles bill, extending the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Utica (N. Y.) Chamber of Commerce, favoring the enactment of the Cooper-Quarles bill, extending the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SNOOK: Papers in support of House bill granting an increase of pension to Samuel Murphy—to the Committee on Invalid Pensions.

By Mr. WARNOCK: Papers to accompany House bill for the relief of John Clark, late private, Company I, Eighty-second Ohio Volunteer Infantry, granting an increase of pension—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 16168, for relief of Isaiah H. McDonald, late lieutenant, United States Army—to the Committee on Invalid Pensions.

SENATE.

Monday, December 12, 1904.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

FRED T. DUBOIS, a Senator from the State of Idaho, and FRANCIS E. WARREN, a Senator from the State of Wyoming, appeared in their seats to-day.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

GEORGE WALKER.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting an item to be inserted in the Indian appropriation bill for the fiscal year 1906 to pay to George Walker, a Potawatomi Indian of Michigan, whose name was omitted from Schedule A of the findings of the Court of Claims, his proportionate share of the sum of \$78,329.25, appropriated for certain Potawatomi of Michigan by the act approved April 21, 1904, etc.; which was referred to the Committee on Indian Affairs, and ordered to be printed.

USE OF WATER IN THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia transmitting, pursuant to law, a statement giving the amount of Potomac water used by the Departments of the United States in the District of Columbia; which was referred to the Committee on the District of Columbia, and ordered to be printed.

RECEIVERS OF PUBLIC MONEYS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a draft of a proposed bill for the relief of certain receivers of public moneys acting as special disbursing agents; which, with the accompanying paper, was referred to the Committee on Public Lands, and ordered to be printed.

ELECTORAL VOTES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting certified copies of the final ascertainment of electors for President and Vice-President for the States of Georgia, Vermont, Ohio, Arkansas, Maryland, Delaware, Virginia, and Illinois; which, with the accompanying papers, was ordered to be filed.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of the Allaire Works of New York v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of the Trustees of the Cumberland Presbyterian Church of Prairie Grove, Ark., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Arthur Taylor, surviving partner of Arthur Taylor and Louis Taylor, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Rosa M. Bowden, Zenobia Porter, Mary E. Bowden, and Martha Bowden Gustin, heirs of Lemuel J. Bowden, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Joseph Williams v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of the Trustees of Norfolk Academy v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Charles V. Stark, assignee of Joseph C. Stark, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of John A. Trimble, administrator of George W. Ebert, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Sallie H. Grundy, executrix of the estate of Samuel R. Grundy, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had passed a bill (H. R. 15895) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1906, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had passed a concurrent resolution providing that when the two Houses of Congress adjourn on Wednesday, the 21st day of December, they stand adjourned until 12 o'clock meridian January 4, 1905; in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution providing that the bill (H. R. 10516) for the relief of Edward J. Farrell and the bill (H. R. 11444) to grant certain lands to the State of Ohio be reenrolled for the signatures of the presiding officers of the two Houses and for presentation to the President of the United States; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a memorial of the Independent Home Rule Party of the Territory of Hawaii, remonstrating against the form of ballot used in the late election in that Territory; which was referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of the Trades League of